

## PART ONE

### Origins

If Arthur Croom was the man of the near future, Clifford Maxim was the man of the far future, the bloody, moral, apocalyptic future that was sure to come. Once Laskell's sense of the contradiction between his two friends had been puzzling and intense. But now it was possible to hold Clifford Maxim and Arthur Groom in his mind with no awareness of contradiction at all. He was able to see them both as equally, right was perhaps not the word, but valid or necessary. They contradicted each other, the administrator and the revolutionary, and perhaps, eventually, one would kill the other. Yet now Laskell saw how they complemented each other to make up the world of politics.

-LIONEL TRILLING

### The Middle of the Journey

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HUAC:

### A MONTH OF HEADLINES

AUGUST 3, 1948: The Witness

What was HUAC up to this time? A new "mystery witness," perhaps, or some other bold move timed to make the next day's front pages? Whatever the purpose, the House Committee on Un-American Activities had reserved the Ways and Means Committee's more spacious hearing room only minutes earlier. A large contingent of Washington reporters, summoned on short notice to the unexpected public session, wondered what surprise the unloved and unpredictable Committee had concocted for that hot summer morning. Three Republican Congressmen and three Democrats, all opponents of the Truman Administration, attended the session. Representing the Republican majority were Karl E. Mundt of South Dakota, John McDowell of New Jersey, and a first-term Californian named Richard M. Nixon. The Democrats seated on the dais were John Rankin of Mississippi, J. Hardin Peterson of Florida, and F. Edward Hebert of Louisiana. Chairman J. Parnell Thomas, under suspicion of having received kickbacks from his employees (a crime for which he would be indicted that year and later convicted), did not appear on August 3. Thomas's predicament was only the latest threat to the Committee's standing. John Rankin, who spiked most hearings with Negrophobic, anti-Catholic, and anti-Semitic tirades, and other members of HUAC, had trouble distinguishing between alleged Communist activities and participation in the New Deal. HUAC, first charged in 1938 with probing all varieties of domestic political extremism, had zeroed in—whether under Democratic or Republican chairmen—on the Democratic Party's liberal left more than on avowed Communists or fascists.<sup>1</sup> Its well-publicized hearings seldom bore any apparent relationship to the drafting of legislation. The Committee's "finest hours," its 1947 hearings on "subversion" in the motion-picture industry, although producing indictments of the Hollywood Ten, ended by generating considerable opposition to HUAC's ruthless headline-hunting style, persuading many liberals as well as those on the left that they had seen the authentic face of American fascism. Even some conservatives in Congress and in the press corps began to attack the Committee for exceeding its original mandate, and one reporter,

Bert Andrews of the New York Herald Tribune, won a Pulitzer Prize for a series of articles critical of its Hollywood hearings. HUAC's tarnished reputation made it vulnerable by mid-1948, and Truman aides drafted a bill to abolish the Committee if the November election restored Democratic control of Congress.<sup>2</sup> Lying low, the group planned no major new probes before the election. "As a committee, we are getting some 'panning' from our colleagues on the floor and others," Acting Chairman Mundt wrote Thomas in late July -1948. "This will require some careful handling and some thorough planning." Only at the last minute did the Committee decide to hear a witness who had testified days earlier before a Senate investigating subcommittee. Elizabeth Bentley-fortyish, plump, sharp-nosed, and a former courier for Communist agents-had first approached the FBI in 1945. Director J. Edgar Hoover had deluged Truman, Attorney General Tom Clark, and others in 1945 and 1946 with memos detailing Bentley's allegations of widespread Soviet espionage, but the Administration had taken no action, perhaps because the informant offered no corroboration for her story.<sup>3</sup> At the outset of Truman's 1948 presidential campaign, however, Bentley's well-publicized appearances before congressional committees revived the "Communism-in-government" issue. Dubbed the "Red Spy Queen" by the press, Bentley told HUAC on July 31 that from 1938 to 1945 she had made contact with almost two dozen Washington officials, Communists and left-sympathizers, who-according to the witness-had delivered secret documents to her for transmission to Russian agents. Bentley named names-including some prominent government aides, first mentioned publicly at her HUAC appearance and not in earlier congressional testimony. Lauchlin Currie, who had served as a top assistant to President Franklin Roosevelt, was one; and Harry Dexter White, former Assistant Secretary of the Treasury, chief architect of the World Bank, and, after 1946, director of the International Monetary Fund, was another. Although Bentley ranged more widely in her charges before HUAC than during Senate testimony, she offered only her version-her word-and Truman dismissed the accusations as false and politically motivated. Still, public interest in Bentley's appearances persuaded Thomas, Mundt, and HUAC's chief investigator, Robert E. Stripling, a Democratic holdover from the chairmanships of Martin Dies and John Rankin, of her usefulness. Staff members searched for evidence to reinforce Bentley's tale of a Communist spy ring widespread in government and produced statements by a not too cooperative witness whom Committee investigators had interviewed in March. That witness became the surprise of August 3.<sup>4</sup> Whittaker Chambers had led three lives since attending Columbia: as an "open Party" Communist journalist and a freelance translator during the late 1920s and early 1930s; as a Communist underground agent during the mid-Thirties; and, since 1939, as a writer and editor for Time. During

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#### HUAC: A Month of Headlines 5

the March session Chambers had asked that he not be subpoenaed,\* and summoning him on August 2 to corroborate Bentley seems to have been Karl Mundt's idea. Mundt, in turn, acted on the suggestion of a New York World-Telegram reporter, Frederick Woltman, who had learned of Chambers's past from ex-radical friends and from the FBI.<sup>5</sup> The forty-seven-year-old Chambers made an unimpressive appearance in executive session on the morning of the 3rd. "He was short and pudgy," Richard Nixon later wrote. "His clothes were unpressed; his shirt collar was curled up over his jacket. He spoke in a rather bored monotone [and] seemed an indifferent if not a reluctant witness." Chambers asked permission to read an opening statement, and after quickly skimming it, Robert Stripling agreed. The witness proceeded listlessly through the few pages of text until one Committee member perked up at the names Chambers mentioned and interrupted: "Hell, why is this in executive session? This should be in the open!" Anticipating good publicity, HUAC adjourned to hold a public hearing in the Ways and Means committee room.<sup>6</sup> In the witness chair Chambers, his voice continually trailing off, read -once more the statement explaining his decision to leave the Communist Party:

Almost exactly nine years ago-that is, two days after Hitler and Stalin signed their pact [in August 1939]-I went to Washington and reported to the authorities what I knew about the infiltration of the United States Government by Communists.

After defecting in 1938, Chambers asserted, he had "lived in hiding, sleeping by day and watching through the night with gun and revolver within easy reach." He then described his reasons for thinking that the Communists

might try to kill him: For a number of years I had myself served in the underground, chiefly in Washington, D.C. The heart of my report to the United States Government [in 1939] consisted of a description of the apparatus to which I was attached. It was an underground organization of the United States Communist Party developed, to the best of my knowledge, by Harold Ware, one of the sons of the Communist leader known as "Mother Bloor." I knew it at its top level, a group of seven or so men, from among whom in later years certain members of Miss Bentley's organization were apparently recruited. The head of the underground group at the time I knew it was Nathan Witt, an attorney for the National Labor Relations Board. Later, John Abt became the leader. Lee Pressman was also a member of this group, as was Alger Hiss, who, as a member of the State Department, later organized the conference at Dumbarton Oaks, San Francisco, and the United States side of the Yalta Conference.<sup>7</sup>

\* Among the interrogators in March had been HUAC Research Director Benjamin Mandel, a former Communist who had originally enrolled Whittaker Chambers in the CP during the mid-1930s, a fact neither Mandel nor Chambers mentioned in August.

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## 6 PERJURY

Reporters present realized that they had their "lead" for the next day's papers. Witt and Abt, also named by Bentley, were middle-rank bureaucrats and had long since left the government. So had Pressman, who was now general counsel of the Congress of Industrial Organizations (CIO). But Alger Hiss in such company was news. Since leaving the State Department, Hiss had become president of the Carnegie Endowment for International Peace. The next day's papers used variants of the headline "TIME EDITOR CHARGES CARNEGIE ENDOWMENT HEAD WAS SOVIET AGENT," which did not reflect the qualifying sentences Chambers had used to describe the "ring":

The purpose of this group at that time was not primarily espionage. Its original purpose was the Communist infiltration of the American Government. But espionage was certainly one of its eventual objectives.<sup>8</sup>

Eager for additional details-and names-Stripling and the Committee members intensified their questioning. Had Chambers named all the members of this secret New Deal Communist cell? No, the witness responded; he had singled out only the most prominent ones-Witt, Abt, Pressman, and Alger Hiss. "Other members of the group were . . . Donald Hiss [Alger's younger brother], Victor Perlo, [and] Charles Kramer (originally Charles Krivitsky)," all low-to-middle-muk functionaries at the time within the New Deal. The Ware Group, he explained, had met either at the apartment of Henry Collins, another member, or at the violin studio of Harold Ware's sister, Helen. Collins collected the dues. Ware's superior was a man named "J. Peters" ("to the best of my knowledge, the head of the whole underground United States Communist Party"), who visited the group "from time to time." Peters had been the object of a deportation hearing in 1947, but, according to Stripling, neither immigration authorities nor HUAC (which had become interested in Peters during the 1947 Hollywood Ten hearings) had been able to locate him. After breaking, Chambers said, he had discussed his activities with Assistant Secretary of State Adolf A. Berle in September 1939 and later repeated his story several times to FBI and State Department agents who sought him out. Stripling wanted to know about encounters with Washington underground contacts after fleeing the Party. Chambers told of one with Alger Hiss:

MR. Chambers: . . . I went to the Hiss home one evening at what I considered considerable risk to myself and found Mrs. Hiss at home. Mrs. Hiss is also a member of the Communist Party. MR. MUNDT: Mrs. Alger Hiss? MR. Chambers: Mrs. Alger Hiss. Mrs. Donald Hiss, I believe, is not. . . . Mr. Hiss came in shortly afterward, and we talked and I tried to break him away from the party. As a matter of fact, he cried when we separated; when I left him, but he absolutely refused to break. . . . I was very fond of Mr. Hiss.

MR. MUNDT: He must have given you some reason why he did not want to sever the relationship. MR. CHAMBERS: His reasons were simply the party line.

Chambers then said he had also visited Harry Dexter White to urge him to break with Communism. Again, as in the case of Hiss, Chambers reported failure. White and Hiss, he testified, had been separated-at the orders of J. Peters-from further direct contact with the Ware Group's operations in 1936 and placed in a parallel apparatus that reported through Chambers to Peters. The Party had concluded that these two officials were "going places in the Government . . . were an elite group . . . and their position in the Government would be of very much more service to the Communist Party" than as members of a larger secret group. "I should make the point that these people were specifically not wanted to act as sources of information," the witness observed, thus denying that Hiss, White, or any of the others had ever committed espionage.<sup>2</sup> Most Committee members did not anticipate the great press attention and public interest that would overwhelm HUAC in the next twenty-four hours. Only Nixon knew beforehand of Chambers's charges - against Alger Hiss. In mid-~8 the freshman Congressman from Whittier, California, was little known outside his own district. Richard Nixon-lawyer, Navy veteran, congressional candidate by virtue of a newspaper ad-had replaced his Democratic predecessor, Jerry Voorhis, as a member of HUAC. He had absented himself from the Committee's more controversial hearings, such as the Hollywood investigation in Los Angeles. His major public concern prior to Chambers's appearance involved joint sponsorship of the Mundt Nixon Bill to outlaw the Communist Party, HUAC's pet measure earlier that year. Although Nixon recalled that the Committee had not initially considered Chambers's testimony "especially important," HUAC rarely decided to move immediately from executive to public session without reasonable assurance of good press coverage. Nixon further insisted that he "considered for a moment the possibility of skipping the public hearing altogether, so that I could return to my-office and get out some mail." Nixon's recollection is not perfectly clear. He did attend the session, and although he claimed that his thoughts wandered to "other subjects," he participated actively in the questioning. "This was the first time I had ever heard of either Alger or Donald Hiss," Nixon incorrectly wrote in 1962. He had actually been briefed extensively on the allegations against the Hisses and other Ware Group members for the preceding year and a half.<sup>30</sup> Shortly after Nixon entered Congress, a Democratic colleague, Charles Kersten of Wisconsin, took him to Baltimore for the first of several meetings with a Catholic priest named John Cronin, who specialized in collecting data on Communist infiltration. He had access to FBI files and, in 1945,

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## 8 PERJURY

produced a confidential report to the American Catholic bishops, "The Problem of American Communism," in which he listed the names of many actual and alleged Communists-including Alger Hiss. The priest's briefings of Nixon and Kersten included long discussions of Soviet espionage in America and mentioned the presence of "certain Communists . . . in the State Department." Hiss figured prominently in Cronin's report to the bishops, a copy of which Nixon read. But during his interrogation of Chambers, and in subsequent HUAC hearings, Nixon never mentioned Cronin's assistance, or his own prior knowledge of the charges. Alger Hiss learned about Chambers's HUAC accusations on the evening of August 2, when a reporter phoned him for comment on leaks from a Committee source about the impending testimony. Afternoon papers and news broadcasts covered Chambers's appearance at length, and most stories emphasized the statements about Hiss, who immediately sent a telegram to J. Parnell Thomas:

MY ATTENTiON HAS BEEN CALLED BY REPRESENTATiVES OF THE PRESS TO  
STATEMENTS MADE ABOUT ME BEFORE YOUR COMMiTTEE This MORNiNG BY ONE

Whittaker CHAMBERS. I DO NOT KNOW MR. CHAMBERS AND, SO FAR AS i AM

AWARE, HAVE NEVER LAID EYES ON HIM. THERE IS NO BASIS FOR THE STATEMENTS

ABOUT ME MADE TO YOUR COMMITTEE. I WOULD APPRECIATE IT IF YOU WOULD MAKE THIS TELEGRAM A PART OF YOUR COMMITTEE'S RECORDS AND I WOULD FURTHER APPRECIATE THE OPPORTUNITY OF APPEARING BEFORE YOUR COMMITTEE TO MAKE THESE STATEMENTS FORMALLY AND UNDER OATH. I SHALL BE IN WASHINGTON ON THURSDAY [AUGUST 5] AND HOPE THAT WILL A CONVENIENT TIME FROM THE COMMITTEE'S POINT OF VIEW FOR ME TO APPEAR.

ALGER HISS.

A copy of the wire went to the chairman of the Carnegie Endowment's Board of Trustees, John Foster Dulles, the man primarily responsible for having brought Alger Hiss to the organization. The previous day Hiss had returned from a month's vacation in Peacham, Vermont, where his wife stayed with their seven-year old son, Tony. Priscilla Hiss remained unaware of the uproar, Alger Hiss recalled recently, until he phoned her late on the afternoon that Chambers testified. "I gave her the news as soon as I got through the newspaper calls, sometime around 5 p.m. . . . I told her just what I planned to do [to testify before HUAC]. I said, 'Don't worry, little one. This will all blow over. I will handle it.' . . . I 'pooh-poohed' it." Hiss remembered the incident differently-and more casually-at the time. "As we have no telephone in Peacham and make use of the general store for long-distance calls,"\* he wrote Dulles

\* Yet when asked to arrange to have Mrs. Hiss testify during a subsequent appearance before the Committee on August 16, Hiss replied: "I think I should try to reach her on the telephone." HUAC, Hearings, August-September 1948, p. 973. (In subsequent footnotes these hearings will be referred to as HUAC, I, and those held in December 1948 as HUAC, II.)

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HUAC: A Month of Headlines 9

on August 5, "I have not had a chance to talk directly to Priscilla though I wrote her as soon as I learned of Chambers' testimony."<sup>11</sup> The conflict between these versions sharpens when compared to the recollections of Edmund F. Soule, Hiss's longtime Peacham landlord, neighbor, and friend. Soule was returning to Peacham by train on August 5, 1948. During a New York City stopover that afternoon he

saw Alger's name in a paper, with this accusation by Chambers. . . . I remember taking the train (perhaps the Montrealer) to Montpelier, being met, and bringing this dreadful news to Prossy [Priscilla Hiss's nickname], who was up in Peacham, staying with my Mother and the baby boy Tony. . . . I can remember getting back to Peacham and hearing Prossy try to remember who this Whittaker Chambers was. Either to Mother or both of us she said something like: "Wait a minute . . . I remember a dreadful man named Crosley or something like that . . ." and that was her identification of the creature.

Presumably, Mrs. Hiss's recollection of "Crosley" was based on the photographs of Chambers in the afternoon paper brought by Soule. "She, as I remember it, seemed to be casting over in her mind what could be remembered," Soule wrote recently, "and sort of thoughtfully, quietly, slowly said something like: 'Yes . . . I remember an awful man we knew once' . . . and went on a bit like that, speculating, 'Could that be the person?'" Mrs. Hiss, despite her initial shock of recognition, could recall almost nothing else about Crosley when questioned by HUAC on August 18. Hiss later acknowledged only "a slight sense of familiarity about some of his press photographs." \* <sup>12</sup> The Committee went ahead without waiting for Hiss. Karl Mundt began the next day's session on August 4 by reading Hiss's telegram and scheduling his appearance for the following morning.

The first witness was a Russian born former government official, Nathan Gregory Silvermaster, who had been described by Bentley as a leading underground Communist in Washington and organizer of what HUAC began referring to as "the Silvermaster Group." Silvermaster dismissed Bentley's "false and fantastic" charges, denouncing his accuser as a "neurotic liar." When Robert Stripling posed the Committee's standard opening question-"Are you now or have you ever been a member of the Communist Party?"-Silvermaster invoked the Fifth Amendment. He also refused to state whether he knew Bentley or others whom she had implicated.\*\* 13

\* It would be almost two weeks before Alger Hiss first mentioned the name "Crosley" to HUAC (on August 16) and acknowledged some familiarity in the press photographs of Chambers. \*\* A Committee investigator, Louis J. Russell, read into the record Silvermaster's Civil Service Commission investigatory file, which stated flatly that there was "considerable testimony . . . indicating that [since 1920] the applicant was an underground agent for the Communist Party," citing material in FBI and Naval Intelligence records. HUAC, 1, pp. 612~19.

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## 10 PERJURY

Later, Stripling introduced into the record a memorandum prepared by his staff that dealt with the career of another alleged Communist spymaster, "J. Peters," whom Chambers had mentioned. The memo described Peters's role as a former Comintern (Communist International) representative in the United States and his CP fund-raising activities in Hollywood. It did not mention specific links between Peters and espionage, however, despite the extensive list of aliases at the head of the memo: RECORD OF J. PETERS, ALSO KNOWN AS J. PETER, J. V. PETERS, ALEXANDER GOLDBERGER, ROBERTS,

STEVE LAPIN, PETE STEVENS, STEVE MILLER, ISADOR BOORSTIN, STEVEN LAPUR,

ALEXANDER STEVENS." Peters was using the last of these aliases when immigration and FBI agents located and subpoenaed him later that month.<sup>14</sup>

By the time the morning session wound down, Whittaker Chambers, called

originally only to support Bentley's story, had clearly upstaged the "Red

Spy Queen." Alger Hiss had spent the day at his desk. Messages of support-letters, phone calls, and telegrams-flowed in from friends and former associates in government. One such message, a copy of a letter sent to Hiss's brother, Donald, by a Baltimore attorney named William L. Marbury, declared confidently that "if you and Alger are party members, then you can send me an application." Marbury offered his services, and later that day he received a call from Alger asking him to come next day to Donald Hiss's Washington office in the prestigious law firm of Covington, Burling, Acheson, and Shorb. After working on his opening statement to the Committee, Hiss left early that evening for Washington. There he obtained and scanned (With the help of his brother, Donald, and a well-known mutual friend) a transcript of Chambers's testimony: "I had the benefit of Dean Acheson's advice last night," Hiss wrote Dulles the following day, "as I was trying to compose my own thoughts." Four men met in Donald Hiss's office on the morning of August 5 for a last-minute discussion of Alger's appearance before HUAC: - the Hiss brothers, Acheson, and Marbury. Alger asked Acheson and Marbury to accompany him to the hearing. Acheson declined, perhaps fearing possible embarrassment to Truman, who nominated him to be Secretary of State later that year. Another friend, Joseph E. Johnston, a lawyer from Birmingham, Alabama, joined Hiss and Marbury at the hearing room. As it turned out, Hiss required very little help from his friends that day.<sup>15</sup>

## AUGUST 5: The Quarry

The audience packed into the caucus room of the Old House Office Building had to put up with some grandstanding by Congressmen Rankin and McDowell and the appearance of an unimportant witness before

took the oath. "He repeated, 'So help me God' twice," Robert Stripling remembers, "which was a little frosting on the cake I'd never heard before."16 Hiss's physical appearance contrasted strikingly with that of his corpulent and rumpled accuser. Hiss was handsome and relaxed. From the beginning of his testimony, he smiled frequently and displayed none of Chambers's nervous mannerisms. Hiss began by reading a statement denying "unqualified%" the charges made by Chambers:

I am not and never have been a member of the Communist Party. I do not and never have adhered to the tenets of the Communist Party. I am not and never have been a member of any Communist-front organization. I have never followed the Communist Party line, directly or indirectly. To the best of my knowledge, none of my friends is a Communist. . . . To the best of my knowledge, I never heard of Whittaker Chambers until 1947, when two representatives of the Federal Bureau of Investigation asked me if I knew him and various other people, some of whom I knew and some of whom I did not know. I said I did not know Chambers. So far as I know, I have never laid eyes on him, and I should like to have the opportunity to do so.

Hiss then outlined his relationships with others whom Chambers had mentioned as New Deal Communists. Henry Collins had been a boyhood friend whom he later knew socially at Harvard Law and during the New Deal. Lee Pressman had also been a law-school classmate and co-worker on the Harvard Law Review; he and Pressman had both served on the legal staff of the Agricultural Adjustment Administration as assistants to general counsel Jerome Frank, later a federal judge. Hiss had seen Pressman "only occasionally and infrequently" since 1935. Nathan Witt and John Abt were also members of the AAA legal staff: "I knew them both in that capacity. I believe I met Witt in New York a year or so before I came to Washington [in 1933]." He had also met Charles Kramer at the AAA, but had seen the last three persons only "infrequently" since 1935. Hiss did not remember ever knowing Victor Perlo. "Except as I have indicated, the statements made about me by Mr. Chambers are complete fabrications," his statement concluded. "I think my record in the Government service speaks for itself."17 Nevertheless, Hiss outlined that record for the Committee. He graduated from Harvard Law School in 1929 and, at the recommendation of Felix Frankfurter (a Supreme Court Justice in 1948 but a Harvard law professor in 1929), he clerked for Justice Oliver Wendell Holmes. After a few years of practice in Boston and New York, Hiss held several New Deal posts, working first for the AAA, next for the Senate's Nye Committee investigation of the munitions industry, and briefly for the Justice Department under the immediate supervision of Stanley Reed, another U.S. Supreme Court Justice in 1948. Hiss joined the State Department in 1936 and rose quickly; he attended the Yalta Conference as a member of the American delegation and, in 1945, presided at the U.N. organizing meeting in San Francisco. He left State in 1947 for the Carnegie Endowment.

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## 12 PERJURY

"I had no respect for Mundt, for Thomas, Rankin (I thought he was evil), for most of the others," Hiss said recently.18 On that August 5, however, he hid his scorn, handling each question directly, if sometimes cautiously, and displaying a far greater skill at sparring with Stripling and Committee members than had been demonstrated by most of his predecessors in the HUAC witness chair. Thus when Stripling pressed Hiss about his claim never to have seen Chambers, Hiss stated that the name meant "absolutely nothing" to him. Stripling produced a photo of Chambers taken earlier that week, pointing out that people who remembered the latter from the 1930S said he was much heavier today. Hiss responded that he preferred to meet Chambers in person. He had studied all available newspaper photos and, if Stripling's was an accurate picture of Chambers, "he is not particularly unusual looking. He looks like a lot of people. I might even mistake him for the [acting] chairman of this Committee." When the laughter in the hearing room died down, Mundt responded: "I hope you are wrong in that." Mundt had earlier confessed puzzlement over Hiss. What "possible motive" could Chambers

have had for falsely "mentioning Donald Hiss and Alger Hiss in connection with these other six" (Witt, Pressman, Perlo, Kramer, Abt, and Ware), especially when there "seems to be no question about [their] subversive connections?" Hiss claimed to be equally baffled:

MR. HISS: I wish I could have seen Mr. Chambers before he testified. MR. RANKIN: After all the smear attacks against this committee and individual members of this committee in Time Magazine, I am not surprised 'it anything that comes out of anybody connected with it. (Laughter.)

Hiss denied flatly all of Chambers's assertions, including the story about visiting him after the break with the Party. To all of these charges Hiss's response was adamant: "I am testifying the exact opposite." He acknowledged that in June 1947 two FBI agents had interrogated him:

They asked me a number of questions not unlike the points Mr. Chambers testified to. . . . They asked me if I knew the names of a number of people. One of those names was Chambers. I remember very distinctly because I had never heard the name Whittaker Chambers.

"That was the first occasion I had ever heard the name," Hiss would reiterate to one of his lawyers the following year. "I did not [recognize it] and I told them so. That was all there was to the reference to him." But Chambers's was not simply one name out of the many casually dropped by the agents. On June 2, 1947, Hiss signed a statement prepared by the FBI agents which contained the following specific denial: "I am not acquainted with an individual by the name of Whittaker Chambers. No individual by that name has ever visited my home on any occasion so far as I can recall." The statement also described Hiss's recollections of Pressman, Witt, Ware, Kramer, Collins, Abt, and other old acquaintances. The only other individuals mentioned in the document whom Hiss claimed not to

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#### HUAC: A Month of Headlines 13

know were Nathan Gregory Silvermaster, Richard Post, and a man named "Gene, or "Eugene."<sup>19</sup> Hiss also described an earlier meeting with the FBI in 1946: this one at his request while he was still at the State Department. Secretary of State Byrnes had summoned him shortly after Hiss returned from attending a U.N. conference in London. Byrnes said that several Congressmen were about to denounce him as a Communist. Hiss denied the charge, and Byrnes suggested that he see J. Edgar Hoover personally in order to clear up the situation. Hiss could not arrange an appointment with Hoover, but on March 25, 1946, spoke instead to one of the director's top aides.<sup>20</sup> Chambers's name did not come up.\* Hiss failed to mention this interview and the charges made against him in 1946-to Dulles or other Carnegie Endowment board members during the discussions that preceded his selection as the Endowment's president. Committee members questioned Hiss closely on the possible source of the FBI's accusations, although it seemed increasingly clear that Chambers's 1939 conversation with Berle had triggered the matter. Hiss held firm, denying that his wife and his brother had been or were Communists. His forceful testimony, bolstered by his credentials as a public servant, seemed to sway some Committee members in his favor. Stripling acknowledged the obvious to Mundt: that "there is very sharp contradiction here in the testimony" and that Chambers should "be brought back before the committee and 'clear this up.'" Diametrically opposed testimony had come, as Karl Mundt pointed out, "from two witnesses whom normally one would assume to be perfectly reliable":

They have high positions in American business or organizational work. They both appear to be honest. They both testify under oath. Certainly the committee and the country must be badly confused about why these stories fail to jibe so completely.

Nixon, who had said very little up to that point, then suggested a simple way to resolve the problem. He proposed "that the witnesses be allowed to confront each other so that any possibility of a mistake in identity may be cleared up. . . . I think if there is mistaken identity on Mr. Chambers' part he will be able to recall it

when he confronts Mr. Hiss." Hiss had already asked for such a confrontation. But before the Committee could consider the idea, Stripling began to question the witness on his knowledge of the people named by Bentley and Chambers. Hiss could not remember whether he had ever visited the St. Matthews Court apartment in Washington in which, according to Chambers, the Ware Group assembled. Nixon asked if Hiss knew Harold Ware, and Hiss acknowledged an acquaintanceship during his years in the Department of Agriculture. It

\* The reasons for this and the entire story of Hiss's last year at State are described in Chapter X.

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## 14 PERJURY

stemmed from Ware's work as a "specialist" on "large scale wheat farming with combines and tractors and that sort of thing" in the Soviet Union (Ware had organized several collective farms during the 1920S at Lenin's personal invitation):

MR. HISS: My recollection is he came into my offices in the Department of Agriculture, as many callers did, on several occasions [in connection with the large-scale wheat-farming project].

MR. NIXON: Your testimony in effect is that your acquaintance with Mr. Ware 'vas only casual in the course of your employment. MR. HISS: That is correct. MR. NIXON: And not otherwise. MR. HISS: And not otherwise.\*21

Questioning then focused on the controversy that led to the purging of "radicals" on the AAA's legal staff in 1935. The victims included Hiss's boss, Jerome Frank; Frank's assistant, Gardner ("Pat") Jackson, a crusading newspaperman during the Sacco-Vanzetti case and later an organizer of the CIO; and Lee Pressman-but not Hiss, despite his identification with the others in this group. t Stripling then ran Hiss through a list of several dozen names of alleged Communists named by Bentley and Chambers, asking which ones Hiss knew. John Abt? Yes. Lauchlin Currie? "I know [him] very well and have a high regard for him"-at which point Mundt interjected: "Do you have a high regard for Lee Pressman?" Hiss remained unruffled: "I knew Pressman first at law school and I have seen very little of him recently. I liked him and admired him as a law student, and knew him and admired him as a fellow lawyer in the Agricultural Adjustment Administration." Nathan Gregory Silvermaster? "Not to the best of my knowledge." Harry Dexter White? "I do know Mr. Harry D. White." The roll call concluded, Mundt and Rankin briefly took up Hiss's role at Yalta and his work in organizing the first United Nations conference. The witness denied the charge made by journalist Isaac Don Levine, editor of the anti-Communist monthly Plain Talk, that he had drafted the section of the Yalta agreement that gave Russia three votes in the U.N. General Assembly-' I opposed the particular point"-but Hiss would not condemn \* Hiss acknowledged in a recent interview with me a less casual interest in Harold Ware, both professionally and personally. He remembered that the magazine Ware had edited for the Communist Party at the time was widely read and respected in the Department of Agriculture. Hiss compared it "to a little magazine that we used to read in the Far Eastern Division, Amerasia, which caused a lot of stink. . . . It [Ware's magazine] was extremely well-written, . . . and the analysis made sense." And "Hal married someone I'd known from the Twenties, Jessica Smith," a Party member like Ware, and the families' movements apparently intersected on occasion in Washington during the mid 30s. Hiss recalled that Ware's son and his own stepson, Timothy Hobson, once attended the same children's camp. Following Ware's death in an automobile accident in 1935, Jessica Smith married Hiss's AAA colleague John Abt. Author's interviews with Alga Hiss, June 21 and Oct. ~, 1975. (In subsequent footnotes, unless otherwise indicated, all interviews referred to were also conducted by the author.)

The reasons for the AAA purge, and Hiss's escape, are discussed in Chapter IV.

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## HUAC: A Month of Headlines 15

what was done at Yalta. With some words of praise for the witness from Rankin and Mundt, the session ended.

After the hearing, Hiss received congratulations from spectators and reporters for having emerged with both his reputation and his composure intact. Rankin and McDowell joined the admiring group, and before leaving the Committee room, both shook his hand. Most of the newsmen evidently felt that HUAC had been seriously embarrassed, that the investigation should be quashed, and that the Committee should apologize to Hiss for having heard Chambers in public without first verifying his story. Mary Spargo of the Washington Post, according to Nixon, expressed the consensus concerning Hiss's cool and effective testimony: "This case is going to kill the Committee unless you can prove Chambers' story."<sup>22</sup> At Harry Truman's press conference that morning, a reporter had asked: "Mr President, do you think that the Capitol Hill spy scare is a red herring to divert the public attention from inflation?" Truman agreed with the questioner that congressional probes such as HUAC's were being used by the Republican "do-nothing" Congress to disguise its legislative failings. Many newspapers juxtaposed prominently Hiss's denials and Truman's "red herring" label (the term supposedly a direct quote from Hiss during the next twenty-four hours. Hiss's performance heartened HUAC's Democratic opponents and, at the same time, halted the momentum generated by the testimony of Bentley and Chambers. Donald Hiss, emboldened by his brother's appearance, wrote the Committee on August 5 demanding to be heard in order to deny Chambers's accusations against him. One Alabama Congressman informed Hiss's friend Joseph Johnston that "he had talked to several members of the committee and with other Congressmen who were there and that... they all felt that the burden of suspicion had been fully transferred to Chambers."<sup>23</sup> When the Committee met in executive session that afternoon- in a virtual state of shock," according to Nixon-most members agreed that the investigation should be dropped. Mundt warned that HUAC's reputation would be further tarnished "unless the Committee was able to develop a collateral issue which would take it off the spot and take the minds of the public off of the Hiss case." A bipartisan consensus emerged at this point. "Let's wash our hands of the whole mess," Hebert suggested, while one of the Republican members complained: "We've been had! We're ruined." Hebert underscored the sense of desperation by insisting that the only suitable course of action was to send the Chambers and Hiss testimony to Attorney General Tom Clark, the Committee's foremost Administration critic, and "ask him to determine who was lying." That proposal proved unpalatable to HUAC's Republican members and to Rankin, thus allowing Nixon a chance to propose an alternative plan. Supported only by Stripling, Nixon argued that "although the Committee

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## 16 PERJURY

could not determine who was lying on the issue of whether or not Hiss was a Communist, we could at least determine which was lying on the issue of whether or not Chambers knew Hiss." Nixon then persuaded Mundt to appoint him head of a subcommittee to question Chambers privately in New York. From that moment, the case became the responsibility of Nixon, Stripling, and the HUAC staff. Other Committee members, acquiescing warily to the Californian's proposal, receded gratefully into secondary roles.<sup>24</sup> Why did Nixon ask for the assignment? What impelled him to disregard the unanimous opinion of his elders on the group and go on with the inquiry? Two factors apparently influenced his decision to press on. Nixon had good reason to doubt Hiss's veracity, although he wrote to John Foster Dulles the following month that "if at the beginning I had any prejudice one way or the other, it was more likely that I favored Hiss rather than Chambers, due to the fact that I have close friends in Washington who were also friendly with Donald and Alger Hiss."\* But Nixon made no mention of the earlier briefings by Father Cronin. He had kept that information from his HUAC colleagues while arguing that the hearings should be continued. Nixon had persuaded them to place the investigation in his hands, and neglected to inform them that his arguments were based not on suspicions or hunches, but upon considerable advance knowledge of the information against Hiss in government security files. Second, despite Nixon's disclaimer, he had already developed an intense personal dislike of Alger Hiss on the basis of that morning's encounter. Hiss, in psychohistorian Bruce Mazlish's blunt summary, "was everything Nixon was not." Raised in an upper-middle-class Baltimore atmosphere, Hiss had glided with honors and scholarships through college and law school, ascending in apparently pre-measured stages from Justice Holmes's chambers to the Carnegie Endowment's presidency. Nixon's background as the child of struggling and undistinguished parents whose failures in life brought to mind the most anguished of Sherwood Anderson's Winesburg, Ohio

villagers-contrasted painfully. Furthermore, "Hiss, the embodiment of Eastern values," Mazlish noted, had "treated Nixon . . . like dirt"-or so Nixon believed. The witness's repressed contempt for the Committee had not escaped Nixon's easily bruised sensibilities as it apparently had those of his more complacent colleagues. "His manner was coldly courteous and, at times, almost condescending," Nixon would later write about Hiss's Ivy League disdain and his own response. "He was rather insolent toward me. His manner and tone were insulting in the extreme."<sup>25</sup> Robert Stripling shared Nixon's belief that Hiss had lied to the Committee that day. Stripling also felt that Nixon's reaction transcended the question of the witness's credibility and reflected, from the beginning, a

\* No such "friends" are mentioned in any of Nixon's other writings on the case.

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## HUAC: A Month of Headlines 17

private sense of grievance. "Nixon had his hat set for Hiss" from their first exchanges, Stripling said recently. "It was a personal thing. He was no more concerned about whether or not Hiss was [a Communist] than a billy goat!" This negative and emotional response to Hiss contributed to Nixon's decision to keep the inquiry alive?<sup>6</sup> Meanwhile, after his triumph that morning, Hiss had gone on the offensive. His future at Carnegie, given the unfavorable publicity after Chambers's testimony, probably depended upon John Foster Dulles's firm backing. Dulles, on the other hand, had his own problems to consider in dealing with the matter. As the leading foreign-policy advisor and probable Secretary of State-designate to the Republican presidential nominee, Thomas E. Dewey, Dulles could ill afford to have his name linked with an alleged highlevel Communist, whatever the truth of Chambers's accusations. Marbury informed Dulles that same day that everyone in the hearing room was convinced after Hiss's testimony that Chambers's charges "were wholly false." Since Dulles hardly knew Marbury-or Joseph Johnston, who sent a similar letter several days later-the burden of persuasion fell upon Hiss himself. That afternoon, at his brother Donald's office, Hiss wrote a two-page, single-spaced letter to "Foster," endorsing a copy of his opening statement to the Committee because "it may Or may not be included in the morning papers as denials seldom get the same coverage as sensational charges do." Hiss asked that Dulles send copies of the statement to other members of the Endowment board, and praised Dulles for his "counsel and calm judgment [which] have been invaluable to me." After mentioning that Dean Acheson had helped him prepare the opening statement, and after bringing in the names of Marbury and Johnston&presumably so that Dulles could identify them when their letters arrived-Hiss described the case's impact on his family. He planned to join Priscilla that weekend in Vermont, "as the shock must have been a very great one." Hiss noted also that his mother and sister had been staying with him that week, "so that I was able to be personally with them during the very first unpleasant hours following Chambers' testimony." Finally the letter came to the point, a plea for compassion and endorsement from the man who held Hiss's career in his hands: I am quite conscious, surprisingly enough, of a very definite sense of relief from the oppressive feeling of being completely unable to come to grips with the source of all the ugly rumors that have been floating around for months. I think it is now clear that they all stem from the same single source. I regret indeed any embarrassment or anxiety this whole unpleasant affair may have caused you. . . . I regret to say that your name was brought in in the course of my testimony obviously with political intent. I trust that you will find my answers to the questions involving you not too distasteful. With gratitude and respect, Ever sincerely, Alger

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## 18 PERJURY

If Dulles responded to Hiss's explanation and plea for support, the letter has not survived. Answering a request made the following day by Philip C. Jessup, a fellow Endowment board member and friend of Hiss's, that the board formally "express their confidence in the President," Dulles remained noncommittal. He avowed that he had just finished reading the transcript of Hiss's testimony and had heard from another board member and friend of Hiss's, James T. Shotwell, about the "excellent impression" Hiss had made. Dulles, however, appreciated the political dangers involved for him in a blanket endorsement of Hiss at this uncertain moment; he flatly rejected Jessup's suggestion. "It seems to me better," he responded coolly, "to defer decision until after the present

Hearings have been concluded."27

## AUGUST 7: The Chase

From his Columbia days in the early 1920s onward, Whittaker Chambers had worked diligently to separate personal life from career obligations. Even during his years as a Communist underground agent he not only succeeded in creating a family life for his wife and two children that was reasonably detached from his work as a courier, but he managed to maintain friendships with non-Communists without the knowledge of CP superiors. Since joining Time in 1939 he had divided his week almost equally between days of intense activity in New York—often working through the night—and days of retreat in Westminster, Maryland, where he and his wife farmed with the aid of their children—and hired hands. The schedule was grueling; twice during these years—in 1942 and 1943—he suffered heart attacks and spent months of enforced rest at the farm. But it allowed him the privacy and close connection with family that he believed essential to emotional well-being. Chambers had "resolved not to read any news stories about my testimony, or to listen to radio broadcasts," and so, he claimed, it was only through a phone call from a Committee investigator that he learned of Alger Hiss's testimony. Chambers offered to return to Washington for another round of questioning, but instead was asked to appear at the Federal Court House in New York City on Saturday, August 7, to meet with the HUAC subcommittee. Nixon immediately laid bare the central issue at the executive session:

Mr. Chambers, you are aware of the fact that Mr. Alger Hiss appeared before this committee . . . in public session and swore that the testimony which had been given by you under oath before this committee was false. The committee is now interested in questioning you further concerning your alleged acquaintanceship with Mr. Alger Hiss so that we can determine what course of action should be followed in this matter in the future.

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## HUAC: A Month of Headlines 19

When had he known Hiss? Roughly "between the years 1935 and 1937." Did he know him under his real name? Yes. During that period did Hiss know him as Whittaker Chambers? "No, he did not." (Hiss had stated repeatedly on August 5 that he did not know "a man named Whittaker Chambers.") By what name had Hiss known Chambers? "He knew me by the party name of Carl." Regarding Hiss and the Communist underground:

MR. NIXON: This entire [underground] group with which you worked in Washington did not know you by your real name? . . . All knew you as Carl? MR. CHAMBERS: That is right. . . . MR. NIXON: I understood you to say that Mr. Hiss was a member of the party. MR. CHAMBERS: Mr. Hiss was a member of the Communist Party. MR. NIXON: How do you know that? MR. CHAMBERS: I was told that by Mr. Peters . . . [who] was head of the entire underground, as far as I know . . . [of] the Communist Party in the United States. MR. NIXON: Do you have any other evidence, any factual evidence, to bear out your claim that Mr. Hiss was a member of the Communist Party? MR. CHAMBERS: Nothing beyond the fact that he submitted himself for the two or three years that I knew him as a dedicated and disciplined Communist. MR. NIXON: Did you obtain his party dues from him? MR. CHAMBERS: Yes, I did . . . [for] two or three years, as long as I knew him. MR. NIXON: Party dues from him and his wife? MR. CHAMBERS: I assume his wife's dues were there; I understood it to be. . . Mr. Hiss would simply give me an envelope containing party dues which I transferred to Peters. I didn't handle the money. MR. NIXON: How often?

MR. CHAMBERS: Once a month. . . . I must also interpolate there that all Communists in the [Ware] group in which I originally knew him accepted him as a member of the Communist Party. MR. NIXON: Could this have possibly been an intellectual study group? MR. CHAMBERS: . . . Its primary function was not that of an intellectual study group . . . [but] to infiltrate the Government in the interest of the Communist Party. . . . No members of that group to my knowledge ever had party cards, nor do I think members of any such group have party cards. MR. NIXON: The reason is MR. CHAMBERS: The reason is security, concealment. 28

Nixon then asked a series of questions about the Hisses' private lives, aimed at testing whether Chambers had ever known them well. Specifically, Nixon later noted, he had tried to determine "What should one man know about another if he knew him as well as Chambers claimed to know Hiss?" Responding to queries from subcommittee members and staff-Nixon, Hebert, Stripling, and Ben Mandel-Chambers apparently remembered a great deal. More than a decade had passed since his described friendship with the Hisses, and Chambers later admitted inaccuracies in his original August 3 testimony and in some statements at the August 7 hearing. Thus he met Hiss in 1934, not '35, and his defection from Communism came in

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## 20 PERJURY

1938 rather than in '37. The Hisses, furthermore, were not teetotalers, nor was Alger's stepson, Timothy Hobson, a "puny little boy." For the most part, however, Chambers displayed remarkable familiarity with the domestic -arrangements of the Hisses, considering the decade long gap in their association. He provided the subcommittee with numerous homey details: nicknames (his memory of "Hilly" for Alger and "Prossy" for Priscilla was later acknowledged as correct, although the Hisses and some friends disputed "Dilly" as Priscilla's other nickname), eating habits, pets, hobbies, mannerisms, relatives, vacation trips, the location and exteriors of their houses, descriptions of their furniture. As Nixon would write in a February 1949 memo:

Either he knew Hiss or . . . he had made a very thorough study of Hiss's life for the purpose of being able to testify against him. The second theory required, of course, that Chambers must have had a motive, and as Chambers himself put it to me in private conversation, the motive must have been so strong that it would lead him to act in such a manner as to destroy his own career in the process.<sup>29</sup>

Had Chambers ever stayed overnight in Hiss's home?

MR. CHAMBERS: Yes. I stayed overnight for a number of days . . . from time to time. . . . I have stayed there as long as a week. . . . I made that a kind of informal headquarters. MR. NIXON: ... what was the financial arrangement? MR. CHAMBERS: There was no financial arrangement. MR. NIXON: You were a guest? z MR. CHAMBERS: Part of the Communist pattern.

Chambers professed a continued fondness for Hiss himself, although not for his wife: "Hiss is a man of great simplicity and a great gentleness and sweetness of character, and they lived with great simplicity. . . . Mrs. Hiss is a short, highly nervous, little woman. The HUAC members listening to Chambers recognized that he might have obtained much of his information about Hiss not from direct contact but by researching his life. Still, "some of the answers," Nixon later observed, "had a personal ring of truth about them beyond the bare facts themselves." Two episodes in particular soon proved especially damaging to Hiss's denials of the reputed relationship. Asked whether Hiss had any hobbies, Chambers responded:

Yes, he did. They [Alger and Priscilla Hiss] both had the same hobby-amateur ornithologists, bird observers. They used to get up early in the morning and go to Glen Echo, out the canal, to observe birds. I recall once they saw, to their great excitement, a prothonotary warbler.

Congressman McDowell, himself an ornithologist, interrupted to ask, "A very rare specimen?" To which Chambers replied: "I never saw one. I am also fond of birds."<sup>30</sup>

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## HUAC: A Month of Headlines 21

The second incident concerned Communist involvement. Nixon had asked whether the Hisses had a car, and Chambers described an old Ford "black and . . . very dilapidated . . . [with] hand windshield wipers. I remember that because I drove it one rainy day and had to work those windshield wipers by hand." Chambers also said Hiss purchased a new Plymouth two-seater sedan in 1936. Hiss then "insisted" upon turning over the old Ford

"to the open Party so it could be of use to some poor organizer in the West or somewhere." Although this action violated "all the rules of underground organization," Hiss prevailed against Chambers's-and J. Peters's-"better judgment." Chambers's memory of the episode became vague at this point, since he had not taken part personally in the transfer process. He could say only that either Hiss or J. Peters had left the Ford at a Washington service station or car lot owned by a Communist, and that the latter "took care of the rest of it for him. I should think the records of that transfer would be traceable." Although he could not offer specific details, Chambers's testimony about a Ford car allegedly transferred by Hiss to the Communist Party gave Committee investigators a major lead in their attempt to resolve the contradictory testimony. By the time Nixon adjourned the session, Chambers's disclosures and the mass of detail he had provided about the Hisses had restored the Committee's faith in his credibility. "Would you be willing to submit to a lie detector test on this testimony?" Nixon asked near the end. "Yes, if necessary," replied the witness. "You have that much confidence?" "I am telling the truth."<sup>31</sup>

## AUGUST ~13: The Skirmishing

Nixon's three-member subcommittee resumed hearings in Washington on August 9. Joining the chairman that morning were not only Hebert and McDowell but also Thomas and Mundt, who-along with other Committee members-had been briefed on Chambers's executive session testimony. Mundt also had been given additional information bearing on the current hearings, material which he chose not to share with his colleagues. Shortly after Hiss's appearance on August 5' Mundt heard from a "very troubled" State Department friend, John Peurifoy, Assistant Secretary of State for security affairs. Peurifoy, according to Mundt, told him:

Karl, I don't know what to do. I'm tom between loyalty and duty. . . . Frankly, all I am I owe, in this town, to Dean Acheson . . . and I don't want to do him a disservice. And still, I'm a good American. And I know that what you are saying and insinuating about Alger Hiss is true, because I have access to [Hiss's] security files in the State Department. . . . Would it be helpful to yon if you could see those security files?

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## 22 PERJURY

Peurifoy brought Mundt the files in the middle of the night, and after the two men "spent two or three hours" going over them, Mundt's indecision faded. "The evidence was there," he later said, that "Hiss was involved with those Communist activities and Communist agents." Emboldened by the dossiers, he rejoined the HUAC inquiry the following Monday.<sup>32</sup> The Committee's first witness that day was Victor Perlo, an economist named by Chambers as a member of the CP underground. Perlo, who now worked for Henry Wallace's Progressive Party, invoked the Fifth Amendment whenever Nixon and Stripling asked about his associations in Washington or about his possible involvement in underground activities. Elizabeth Bentley returned to assert that during the Second World War Perlo had supplied her with classified information, which she had passed on to Russian contacts. She described a series of meetings with Perlo in Washington and New York, insisting that the two secret networks with which she worked at the time had been headed by Perlo and Nathan Gregory Silvermaster. Perlo claimed the protection of the Fifth when asked about these charges. \* On August 11 Elizabeth Bentley testified that in the summer of 1945, after breaking with the Party, she told her story to the FBI for the first time and was instructed to maintain contact with Russian agents. In October 1945, while under FBI surveillance, Bentley received a package containing \$2,000 on a New York street from someone she knew only as "Al," later identified by the Bureau as Anatol Gromov, First Secretary of the Russian Embassy. Gromov, protected by diplomatic immunity, subsequently left the country.<sup>33</sup> Another in the long list of alleged Communists fingered by Bentley, a former government economist named Abraham George Silverman, pleaded self incrimination when asked on August 11 whether he knew her and if he was a Communist. He denied any complicity in espionage While questioning Silverman, the Committee focused on Bentley's testimony and neglected to ask the witness if he had known Whittaker Chambers. (Chambers had not yet indicated his connection with Silverman, but would do so at a subsequent meeting of HUAC.) Silverman proved more forthcoming though still not entirely so-in several interviews with Alger Hiss's attorneys the following spring:

Silverman knew Whittaker Chambers during the general period 1935-37 in Washington [states one of their March 1949 memos]. He does not remember the circumstances under which he met Chambers and recalls him as just one of the people he happened to know. From time to time he had lunch with Chambers . . . they talked about art and music. . . . Silverman does not remember whether he helped Chambers to get a job [for the National Research Council \* Neither Perlo nor the Committee knew at the time that the witness's former wife, Katherine Perlo, had corroborated Bentley's charges against her ex-husband in an anonymous letter-later acknowledged by Mrs. Perlo- sent to the FBI several years earlier. Mrs. Perlo accused her husband of engaging in espionage and named others in the group, her list of names being comparable to Bentley's later one.

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HUAC: A month of Headlines 23

in late 1937]. He thinks it is possible that he may have done so. . . . He thought he might have even called Irving Kaplan [head of the council and says that he knew Kaplan....

But Silverman escaped questioning by HUAC about these and other dealings with Chambers.<sup>34</sup> Harry Dexter White, who appeared before HUAC on August 13, had taught international economics at Harvard before joining the Treasury Department during the New Deal. He acknowledged to the Committee that he had known Silvermaster "pretty well" for the past decade, but denied having been a Communist or being "even close to becoming one," and said he could not recall ever having met either Bentley or Chambers, "judging from the pictures I have seen in the press." White called the charge that he had helped obtain "key posts for persons I knew were engaged in espionage work to help in that work . . . unqualifiedly false." Press and spectators were sympathetic toward the cheerful, mild-mannered White, and when he finished reading his prepared statement, they broke into a sustained round of applause.<sup>35</sup> Stripling began with the familiar roll call of alleged Communists or fellow travelers-Silverman, Currie, Pressman, Alger and Donald Hiss, and others-asking which of them White knew. Finally he asked whether White knew "anyone in 1935 or 1936 who went under the name of Carl, C-a-r-l." "I do not recollect any such name," White responded. "I may have; it is a long time ago." White then denied-"to the best of my recollection having known Chambers under that name. He also denied that Chambers had visited White after defecting in order to urge him to cease associating with the CP underground. Later, as White testified that he had played Ping-Pong in Nathan Silvermaster's basement, Chairman Thomas interrupted:

Just a minute, right there. . . . One thing I cannot reconcile, Mr. White, you send me a note and you say that: "I am recovering from a severe heart attack. I would appreciate it if the chairman would give me five or ten minutes after each hour." For a person who had a severe heart condition, you certainly can play a lot of sports.

White's face fell, according to news reports, as he replied:

I did not intend that this note should be read aloud. I do not know any reason why it should be public that I am ill, but I think probably one of the reasons why I suffered a heart attack was because I played so many sports, and so well. The heart attack which I suffered was last year. . . . I hope that clears that up, Mr. Chairman.

Before he finished, spectators began applauding again. Chairman Thomas could not resist making a foolish crack, one he would regret within several days, if only for political reasons, when White suffered a fatal heart attack: "I would say that you had an athlete's heart."

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24 PERJURY

The witness defended Silvermaster eloquently against the charge of Communist association: "You cannot erase seven or eight years of friendship with a man that way unless I see evidence, unless the court declares that he is, and until they prove he is guilty, I believe he is innocent." White had interceded to help Nathan Silvermaster

fight removal from government service in 1942 after satisfying himself that his friend was not a Communist, and he stood by his record in the Treasury on security matters, declaring he had never knowingly employed a Communist. When Thomas asked whether any of White's friends could be members of the Communist Party, the witness became visibly exasperated: "How can I answer that, Mr. Congressman? . . . (a) There are Communists; (b) I have friends; (c) those friends might be Communists. I mean, that is silly." Henry Collins, executive director of the American-Russian Institute and a friend of Alger Hiss from childhood, told HUAC that he could not recognize news photos of Chambers and (using the same formulation employed earlier by Hiss) that he had never known "a man by the name of Whittaker Chambers." When asked by Stripling if he was acquainted with an individual named "Carl" in 1935, however, Collins invoked the Fifth Amendment. (By the time Collins appeared before a federal jury in December, he recalled having met Chambers during the mid-Thirties. ) 38 The witness agreed he had lived at St. Matthews Court in Washington in the apartment building at which Chambers said the Ware Group had met. But Collins declined on grounds of self-incrimination to state whether he had met alleged members of that group there, such as Abt, Hiss, Pressman, or Peters. He also refused to say whether he had ever been a member of the Communist Party. Although Chambers had accused him only of secret Communist membership, not of spying, Collins took pains to deny-both in his prepared statement and in his testimony-that he had taken part in any form of espionage for a foreign power. But Collins was later implicated in espionage by a former State Department official, Laurence Duggan, who told the FBI on December 10, 1948, that Collins, whom he had known since 1934, approached him in June 1938 "to assist in furnishing information. . . Duggan states he could not recall the words of Collins, but the obvious import was that he wanted information furnished to the Soviets." Duggan said he had turned down Collins's request.\*37 When he appeared before HUAC, Donald Hiss said he did not know Whittaker Chambers either by that name or under the pseudonym of "Carl, or any other name." He rejected "categorically" Chambers's assertion of meetings at Henry Collins's apartment. According to the witness, he had never met Harold Ware or J. Peters, and his contacts with people such as \* Letters written in 1934 by John Herrmann, another member of the underground Ware Group, confirm that the group met-among other place~at Collins's St. Matthews Court apartment. See Chapter IV, pp. 14~41.

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#### HUAC: A Month of Headlines 25

Pressman, Abt, and Witt had been either at the Harvard Law School, where he and Witt were classmates for a time, or in connection with government service during the New Deal. He stated that he had never been a member of the Communist Party or of any front organization and was not "in sympathy with the principles of the Communist Party."38

Had his brother, Alger, ever known Chambers under the name of "Carl"? Nixon asked Donald Hiss. "Not to my knowledge," he replied, referring the question directly to his brother.\* Donald said he had not discussed the case with Alger since the latter's appearance before HUAC although it was to Donald's office that Hiss returned after his August 5 appearance and there that he wrote his letter to John Foster Dulles-and Nixon observed that "we will have to ask your brother that question ourselves." Both Mundt and Nixon commented on the obvious conflict in the testimony of Chambers and Hiss. Mundt asked whether Donald could think of a "conceivable motive" for Chambers having lied to the Committee, but the witness could not provide any.

Despite the flurry of public hearings that week, Nixon, Stripling, and the HUAC staff devoted most of their time to checking out Chambers's executive-session testimony. In his February 1949 memo Nixon said: "It was during this period that I finally reached a definite conclusion that Hiss was not telling the truth on the issue of whether he knew Chambers, and I would say that my visits to Chambers were the major factor which convinced me on this point." He made at least two unpublicized visits to Chambers at Westminster that week, encounters that "did not, in themselves, furnish many specific leads or new evidence, [but] did serve to convince me that Chambers actually did know Hiss and that he had not manufactured the story for the purpose of destroying Hiss." Nixon later wrote that he was struck by Chambers's willingness to submit to a lie-detector test, contrasted with Hiss's later rejection of the idea; by Hiss's insistence on being furnished transcripts of his HUAC testimony after each

appearance while Chambers declined to see him; and by the latter's willingness to appear always without legal counsel. Another factor greatly impressed Nixon: Chambers's conversations about Hiss during those visits-"He was talking about someone he knew rather than someone whose life he had studied."

Not relying on his judgment alone in deciding upon Chambers's veracity, Nixon showed the transcript of Chambers's then secret August 7 testimony

\* Joseph Johnston, who accompanied Hiss to the August 5 hearing, recounted the following bit of hearsay to William Marbury the following month: "Dean Kimball of Covington, Burling [Donald Hiss's law firm] was in the office a few days ago . . . when the subject of the Hiss case arose. He said that Maynard Toll [another friend] told him recently of a conversation he had had with Donald Hiss a number of years ago, I believe around 1939 or 1940, in which Donald said that Alger's wife, Priscilla, was a 'red hot Communist.'" When I interviewed him recently, however, Donald Hiss repeated his statement that neither Alger nor Priscilla had been a Communist. See Johnston to Marbury, Sept. 17, 1948, and Marbury to Johnston, Sept. 22, 1948, Hiss Defense Files; also Interview, Donald Hiss, Sept. 29, 1975.

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## 26 PERJURY

to William P. Rogers, chief counsel for the Senate Internal Security Subcommittee (which had first heard Elizabeth Bentley) ,~ to Congressman Charles Kersten, and to New York Herald Tribune reporter Bert Andrews. All three agreed, after reading the testimony, that Chambers knew Hiss and all counseled pursuing the investigation.<sup>59</sup> On August 11 Nixon met secretly with John Foster Dulles and his brother, Allen, at the Roosevelt Hotel in New York City, hoping to deter the former from issuing a public endorsement of Hiss. But Dulles had already begun to disengage himself from Hiss, who had not informed him prior to assuming the Carnegie Endowment presidency-about the continuing rumors of his Communist ties or about his 1946 interview with the FBI. Dulles had found himself in the uncomfortable position of having to defend Hiss against persistent complaints by right-wing anti-Communists. Moreover, it had become clear by the time of Nixon's visit that leading Republicans in Dewey's entourage had grown concerned over the possible effects of the Hiss affair on the presidential race. Thus, Karl Mundt worried that the Hiss-Chambers imbroglio-which he described as "a very unsavory situation"-might injure Dewey's campaign. Mundt kept Dewey's campaign manager, Herbert Brownell, Jr., informed about developments in the case through periodic letters. According to Mundt, the HUAC probe was then "in such a fluid state, it may break loose in any direction." He urged that Dewey "not commit himself in any way which might prove tremendously embarrassing... if the outcome of this tangled web of evidence. should take a surprising and nation-rocking turn."<sup>40</sup> The Dulles brothers were understandably eager for any light Nixon could shed on the confusing drama then unfolding. Their caller unwrapped the Chambers transcript-as he had done with Rogers, Kersten, and Andrews -and, after studying it, Foster and Allen Dulles agreed on the situation. "Go ahead," Nixon quoted John Foster Dulles as saying. "There's no question that Hiss apparently in this case has lied to the Committee, and you've got to press it [the investigation]." Allen Dulles's later, separate statement confirms his brother's reaction.<sup>41</sup> Nixon has been aptly described (in James David Barber's phrase) as an "active-negative type," a personality that ordinarily displays twin sets of impulses-"the struggle to control aggression, and the pursuit of power, prestige, and status." Both compulsions emerged as dominant ones during the early weeks of the Hiss-Chambers case. On the one hand, he nursed a suppressed but intensely personal antagonism toward Alger Hiss, his witness turned quarry. On the other, he had begun to identify closely with his fellow Red-hating Quaker, Whittaker Chambers, and with key figures in the Republican Party's national leadership. Nixon knew full well the political benefits to be derived from "breaking" the case, if only by resolving to the \* Rogers later became Attorney General under Eisenhower and, still later, Secretary of State in the Nixon Administration.

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## HUAC: A Month of Headlines 27

satisfaction of a curious public the mystery of whether Chambers really knew Alger Hiss. Robert Stripling

cautioned him that week, "You're in the big leagues now."<sup>41</sup> But the reminder seemed unnecessary for a man whose phone calls were now as often from "Foster," "Herb," and "the Speaker" (Republican Joe Martin) as from his constituents. Nixon ended his preparations that weekend with two additional visits to Westminster, in which he took Bert Andrews and Robert Stripling separately to see Chambers, if only to confirm his belief in Chambers's honesty. Andrews, a Pulitzer Prize-winning reporter, and Stripling were fast becoming two of Nixon's three main advisors on the case; the other was Chambers himself. Stripling's visit was unnecessary since he already distrusted Hiss, but Andrews's suspicion of the man intensified after his talk with Chambers. Having isolated himself from family and friends as he worked on the case that week, Nixon impulsively drove at one point during this period to his parents' York~ Pennsylvania, farm. There he spent his time staring into the empty fireplace, taking long walks, avoiding meals, and refusing sleep. This pattern of behavior, he would later write, was a normal symptom for him of intense preparation for political battle.<sup>45</sup> Nixon's "vigil" ended abruptly on August 16, when Alger Hiss appeared before HUAC in executive session. The Committee's telegram requesting his presence had arrived the previous Friday while Hiss was preparing to leave for a Vermont weekend. He tried to reach William Marbury, but the Baltimore attorney had left on a month's assignment in Europe. "The discontinuity of counsel," he would write Marbury on August 31, "has been one of my most serious disadvantages. I know well that no man should attempt to be 'his own lawyer.'" When he learned of Marbury's absence, Hiss "made hurried attempts" to contact friends at the well-known New York law firm of Cahill, Gordon, but the attorneys there had gone for the weekend. He left a message, and, in response, several of the firm's lawyers met him on his train Monday morning as it passed through New York City on the way from Vermont to Washington. Cahill, Gordon declined to represent him, however, Hiss later wrote, "due to a conflict of another government interest," and he finally arranged for a friend, a Washington attorney named John F. Davis, to accompany him before the Committee that day. Curiously, Hiss later wrote that he had gone unrepresented: "As at the first hearing, I saw no occasion for having counsel with me."<sup>44</sup>

## AUGUST 16: The Trap

At the executive session Hiss repeated his earlier claim to have heard Chambers's name mentioned for the first time at his 1947 FBI interview and then only casually, as "one of fifteen or twenty . . . of whom I had

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## 28 PERJURY

never heard." He also denied knowing any person named "Carl" or J. Peters. As for Henry Collins's apartment, he had gone there only on social occasions. Lee' Pressman and others whom Chambers had accused of participating in the Ware Group might have been present while he was in Collins's apartment, although he had "no recollection of it." Nixon then produced two photographs of Chambers and asked again if Hiss knew the man "either as Whittaker Chambers or as Carl or as any other individual." Hiss wavered slightly, admitting that the picture "is not completely unfamiliar." He asked again for an opportunity to confront Chambers, and Nixon agreed that this should occur soon. Hiss also said he would arrange for his wife's testimony, to corroborate his own. Nixon, in turn, stressed the Committee's desire to avoid an open session and "any publicity" until the conflicts between Hiss's account and Chambers's had been explored thoroughly in private, asking that Mrs. Hiss appear before the subcommittee next day, perhaps in New York if more convenient. The witness promised to phone her and, if possible, make arrangements.<sup>45</sup> But Hiss bridled at Nixon's next request, that his stepson, twenty-two year-old Timothy Hobson, whom Chambers claimed to have met, also appear-even though he was in New York. Hiss explained that Hobson, who had served briefly in the Navy, was living apart from his parents. "He is being what people in Vermont call not only independent, but 'indegoddampendent.'" He also said that Hobson had been consulting a psychiatrist, and that he did not know his stepson's current address. At that point Alger Hiss admitted to having "been angered and hurt" by the Committee's apparent willingness to consider his own testimony and that of Chambers on an equal footing despite his (Hiss's) reputation. He asked that Chambers-who was "apparently endeavoring to destroy me"be brought before HUAC immediately to state "his alleged knowledge of me." Otherwise, Hiss said, he would be testifying to "personal facts about myself which, if they came to his [Chambers's] ears, could sound very persuasive to other people that he had known me

at some prior time." When Stripling said that at the executive session Chambers had "sat there and testified for hours . . . [and] rattled off details like that," Hiss seemed unnerved. "He has either made a study of your life in great detail," Stripling went on, "or he knows you." Again Hiss was shown a recent photograph of Chambers, Stripling pointing out that he was "much heavier now than he was in 1937 or 1938." But although Hiss agreed that the face was "definitely not an unfamiliar face," he still claimed to "see Mr. Mundt" and a "lot of other people" in it. "Now, here is a man who says he spent a week in your house," Thomas broke out. "Do you recognize him?" "I do not recognize him from that picture. . . . I want to hear the man's voice," Hiss retorted. Moments later Hiss suddenly announced: "I have 'written a name on this pad in front of me of a person whom I knew in 1933 and 1934 who not

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## HUAC: A Month of Headlines 29

only spent some time in my house but sublet my apartment. . . . I do not recognize the photographs as possibly being this man. If I hadn't seen the morning papers with an account of statements that he knew the inside of my house, I don't think I would even have thought of this name." (Later Hiss would state that he had first thought of "this name" after Chambers's initial appearance before HUAC.) Hiss urged the Committee not to ask him for the individual's name or for personal facts about himself, lest these be quietly leaked, demanding instead "to see Chambers face to face and see if he can be this individual." On one point Hiss was adamant: "He was not named Carl and not Whittaker Chambers." Hiss denied spending a week with the unnamed person in the apartment he sublet to him-only "a day or two... when he moved in."<sup>46</sup> After Hiss complained that HUAC had known Chambers would bring out his name when it went into public session on August 3, Hebert, misrepresenting the fact, denied the charge. "And whichever of you is lying," the Louisiana Democrat exploded, "is the greatest actor that America has ever produced." Despite his evident reluctance, Hiss now began providing the Committee with the details of his personal life for which they had asked. The members inquired about family maids, and Hiss named Martha Pope, who had worked for them in Washington in 1933, and another maid obtained through an agency, whose name he could not recall and who "wasn't very satisfactory." He would check with his wife, but could not remember offhand the names of other domestics who had worked for the family during the mid-1930s and therefore might have seen Chambers. Throughout the session Alger Hiss's memory on the subject of maids proved surprisingly uneven. Although he gave the names of three former servants (two only by first name), none of whom he had seen since the Thirties, he omitted from his testimony before the Committee that day and later in the month the name of Claudia ("Clytie") Catlett, who had worked for his family from 1935 to 1938, or through most of the period (1934-38) that Chambers claimed to have known Hiss. Stranger still, the Hiss families -Alger's and Donald's both-had maintained contact with Claudia Catlett and her family since the late Thirties, the only one of Alger's and Priscilla's former maids about whom this could be said. The Hisses had even gone to a Catlett family wedding during the early 1940s. Although Hiss in a later statement would categorize her erroneously as "sporadically" employed by his family, Claudia Catlett worked full-time and daily for the Hisses for more than three years. Also, her two older sons performed occasional odd jobs at the house. Mrs. Catlett was obviously in the best position of any Hiss maid to identify Chambers as a visitor to the Hiss homes, but Hiss did not mention her name to HUAC.<sup>47</sup> There seemed to be some important reason-although difficult to discern in August ~48:for Alger Hiss to have misled HUAC about Claudia

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## 30 PERJURY

Catlett, telling the House committee nothing about her. When the FBI finally located Mrs. Catlett early in 1949, she proved to be one of two Hiss maids who remembered meeting Chambers. Claudia Catlett later confirmed

on the witness stand the FBI account of her meeting with Chambers at Bureau headquarters on February 1, 1949, at which time she

recognized him and associated him with Hiss residence at 2905 P Street, Northwest [where they lived from June 1935 to June 1936]. She says that she may have seen him at the other addresses [in 193~38], but does not recall

it and would not have paid any attention to him after seeing him for the first time. . Chambers and Catlett spent considerable time recalling incidents of mutual knowledge pertaining to the Hisses.\* But if Mrs. Catlett remembered Chambers in 1949, her former employer had more difficulty calling her to mind under questioning by HUAC the previous August 16.48

During a recess that morning Hiss had apparently either searched his memory again or reconsidered his position; he began with another abrupt announcement:

The name of the man I brought in-and he may have no relation to the whole nightmare-is a man named George Crosley. I met him when I was working for the Nye committee. He was a writer. He hoped to sell articles to magazines about the munitions industry. I saw him, as I say, in my office over in the Senate Office Building, dozens of representatives of the press, students, people writing books, research people. It was our job to give them appropriate information out of the record, show them what had been put in the record. This fellow was writing a series of articles, according to my best recollection, free lancing, which he hoped to sell to one of the magazines. He was pretty obviously not successful in financial terms, but as far as I know, wasn't actually hard up.

Hiss's memories of "George Crosley," once he had introduced the name, proved almost as detailed as Chambers's earlier recollections of Hiss: Crosley had blond hair, "blonder than any of us here," he was married with "one little baby" at the time he sublet Hiss's apartment, his wife was a "strikingly dark person," while Crosley himself was "shortish." His most memorable physical feature? "Very bad teeth," Hiss recalled. "That is one of the things I particularly want to see Chambers about. . [Crosley] did not take care of his teeth. . . . They were stained."49

\* Claudia Catlett also provided a tantalizing, if uncertain, comment related to Chambers's claim that he visited the Hisses at Christmas time 1938 after his break. According to the FBI report of her February 1, 1949, interview, "[Mrs.] Catlett recalls an incident whereby an unidentified man inquired for Alger or Priscilla Hiss when the Hisses resided on Volta Place, Northwest [1938] during Christmas season. [Mrs.] Catlett recalls that the Hisses were away and that the man came there twice in the evening inquiring for them. She is unable to state that this man was Whittaker Chambers, but definitely recalls incident as she considered a visit of this nature unusual."

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## HUAC: A Month of Headlines 31

Although earlier Hiss had testified to knowing Crosley "in 1933 and 1934," he now said that the latter had rented his apartment in June 1935. Not only had the Hisses loaned the Crosleys some furniture until the subtenants moving van arrived but, according to Hiss, they had shared their apartment with the Crosleys for several days.\* when Stripling asked about the type of car Chambers owned when he rented the Hisses' apartment, the witness confirmed at least the bare details of his accuser's earlier testimony by replying:

No kind of automobile. I sold him an automobile. I had an old Ford that I threw in with the apartment [in June 1935] and had been trying to trade it in and get rid of it. I had an old, old Ford we kept for sentimental reasons. We got it just before we were married in 1929. . . . [An] early A model with a trunk on the back. . . . Dark blue. It wasn't very fancy but it had a sassy little trunk on the back.

Had Hiss "sold" Chambers the car? Nixon asked. The witness replied:

I threw it in. He wanted a way to get around and I said, "Fine, I want to get rid of it. I have another car, and we kept it for sentimental reasons, not worth a damn." I let him have it along with the rent.

Pressed by Nixon on the Ford transfer, Hiss insisted that without receiving extra compensation he had "charged

the rent and threw the car in at the same time . . . in addition." After all, Hiss pointed out, the Ford was simply "sitting in the streets in snows for a year or two" while he and Priscilla "were using the other car." The "other car," Hiss testified, was a Plymouth four-door sedan which he had purchased presumably before he gave his Ford to Crosley in June 1935. He did not remember having provided Crosley with a bill of sale: "I think I just simply turned it over to him." Neither could Hiss produce a written lease-then or later-for the apartment he sublet to Crosley. Additional details followed in rapid order. Crosley had stayed overnight "a couple of times," driven with Hiss to New York City at one point, and seen him "several times" after his sublease expired in September 1935, at which time Crosley told him he was moving to Baltimore. But Hiss could evoke very little of his conversations with "George Crosley" except for those on Nye Committee affairs, about which they \* The matter of Alger and Priscilla Hiss's various D.C. residences during the 1930S, all in the Northwest section, would figure prominently in the events that followed and requires summary

#### Dates Hiss Residence

1933-July 1934 3411 O Street, N.W.

July 1934-June 1935 2831 28th Street, N.W.

June 1935-June 1936 2905 P Street, N.W.

June 1936-Dec. 1937 1245 30th Street, N.W.

Dec. 1937-1943 3415 Volta Place, N.W.

Chambers said that he met the Hisses at the 28th Street residence and saw them for the last time in December 1938 at Volta Place.

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#### 32 PERJURY

had talked "backwards and forwards": "He purported to be a cross between Jim Tully, the author, and Jack London. He had been everywhere." Obviously seeking the names of those who could validate the conflicting claims of one or the other man about the relationship, Nixon returned several times to the question of Hiss's servants during this period. But the witness stuck to his earlier testimony, which omitted the name of his daily maid for the 1935-38 period, Claudia Catlett. Hiss verified some aspects of Chambers's testimony about his personal life, including the fact that his family had vacationed during the Thirties on Maryland's Eastern Shore, that they had owned a cocker spaniel, and that Hiss had sold spring water as a boy growing up in Baltimore. When asked about his hobbies, the witness stepped into a carefully set trap:

MR. Nixon: What hobby, if any, do you have, Mr. Hiss? MR. HISS: Tennis and amateur ornithology. MR. Nixon: Is your wife interested in ornithology? MR. HISS: I also like to swim and also like to sail. My wife is interested in ornithology, as I am, through my interest. Maybe I am using too big a word to say an ornithologist because I am pretty amateur, but I have been interested in it since I was in Boston. I think anybody who knows me would know that. MR. McDOWELL: Did you ever see a prothonotary warbler? MR. HISS: I have right here on the Potomac. Do you know that place? THE CHAIRMAN: What is that?

MR. NIXON: Have you ever seen one? MR. HISS: Did you see it in the same place? MR. McDOWELL: I saw one in Arlington. MR. HISS: They come back and nest in those swamps. Beautiful yellow head, a gorgeous bird. Mr. Collins is an ornithologist, Henry Collins. He is a really good ornithologist, calling them by their Latin names.\*50

The inquiry about Hiss's hobbies had been a loaded one, and the witness, presumably unaware of Chambers's

earlier testimony on this point, confirmed something a casual acquaintance might not be expected to know. But Hiss's antennae may have sensed danger: his somewhat gratuitous reference to Henry Collins supplied the Committee with the name of another ornithologist whom Chambers had also accused of Communist involvement.

\* Collins tried to divert attention to himself on the matter of a prothonotary warbler the following month, when he told Hiss's lawyer, Edward C. McLean, on September 22: "Collins also mentioned that his record of a bird walk which he took on August 19, 1934 with Hiss, Mrs. Hiss and a few friends shows that they saw a prothonotary warbler at that time. This was the first time Collins had ever seen one. The walk was on the south bank of the Potomac and was not near the C. & O. canal. This may have been the occasion to which Hiss referred in his testimony." If Chambers recalled correctly having learned of this sighting from the Hisses~he remembered their "great excitement" when telling him~then he was already in contact with the couple in August 1934, months before Hiss said he met "George Crosley." "Further Information from Mr. Collins," Sept. 22, 1948, Hiss Defense Files.

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### HUAC: A Month of Headlines 33

Parrying Nixon's invitation to submit to a lie-detector test, Hiss argued with the Congressman about the validity of such probes, Nixon and Stripling having already consulted on the matter with Leonardo Keeler, the country's leading polygraph expert. Hiss asked for additional time to consult with legal experts before making a decision on the proposal. Although Crosley failed to pay most of his rent, according to the witness, he brought over a rug at one point which he said some wealthy patron had given him: "I have still got the damned thing." Despite Crosley's inability to meet the rent payments, Hiss said he gave the man "a couple of loans," until deciding finally that he would never be able to collect the debts, "that I had been a sucker and he was a sort of deadbeat; not a bad character, but I think he just was using me as a soft touch." Thus, at their last meeting, he and "George Crosley" had exchanged "hard words," with Hiss telling his debtor that he never expected him to pay the money he owed, that the writer had "simply welshed from the beginning." But when Nixon asked if this seemed "sufficient motive" for Chambers, assuming that he was Crosley, to lie about Hiss, the witness pointedly observed that no "normal man" would hold a grudge in that fashion. The grueling three-and-a-half-hour session concluded with arrangements to hear Mrs. Hiss in executive session in New York and to schedule a public confrontation between Hiss and Chambers in Washington~Hiss's preference~n August 25. The nine day delay, however, seemed altogether too long for Richard Nixon. Although he apparently went along with the plan during the hearing itself, Nixon displayed his unique theatrical talents in the twenty-four hours that followed. Biographers of Richard Nixon invariably comment on his belief that timing in politics constitutes a form of acting, an effort to control or shift the flow of events through careful self dramatization at critical moments. Once the male lead in his Whittier College fraternity's production of *The Trysting Place*, Nixon would later provide some memorable moments of national melodrama, but his view of politics as theater, even soap opera, received its first tryout during HUAC's Hiss-Chambers investigation. Frequently Nixon would describe the probe~in Bruce Mazlish's phrase~"as if it were a sort of stage play." In later writings Nixon portrayed the episode theatrically, with himself sometimes playing the role of chief critic, at other times that of a Pirandello like director stage-managing the performances in full view of the audience. Early in the hearings, for example, Nixon privately gave Chambers's testimony a favorable critical review ("I did not feel that it was an act") while panning Hiss, who "had put on a show" and "overacted."<sup>51</sup> Nixon's request to head the HUAC subcommittee and his exertions over the ten days preceding Hiss's August 16 appearance showed clearly his determination to direct the drama personally.

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### 34 PERJURY

His next move, therefore, followed in logical sequence. Rather than allowing things to slide toward the public confrontation scheduled for August 25, Nixon decided to "control" events. Without consulting other Committee members, he phoned Chambers. Although no record of their talk survives, Nixon presumably grilled him further

on Hiss's testimony and on Nixon's belief that Hiss had known Crosley was Chambers when he testified. That evening, Nixon and Stripling spent several hours reviewing Hiss's testimony and at some point the Congressman decided to push ahead the meeting in order to prevent Hiss from gaining "nine more days to make his story fit the facts." At 2:00 a.m. Nixon phoned Stripling with instructions to arrange "for the confrontation scene" in New York City the following afternoon. Hiss, who had left the August 16 session with "a sense of having accomplished something," was soon to learn differently.<sup>52</sup>

#### AUGUST 17: The Confrontation

Haste and some deception characterized arrangements for the Hiss Chambers meeting of August 17. That morning Hiss received a call from Donald T. Appell, a Committee investigator, who said, according to Hiss, only that Congressman McDowell wished to speak to him briefly late that afternoon. Chambers had gone to HUAC's Washington headquarters in the morning, according to his memoir, because he "felt a curious need to . . . see the Committee." More likely, Nixon had instructed the Time editor to appear and he accompanied the Committee staff by train to New York. That afternoon McDowell himself called Hiss and invited him to come to Room 1400 of the Commodore Hotel. McDowell, Nixon, and one other person would be present, Hiss's caller said, an unmistakable indication that the summons was for official Committee business. Harry Dexter White had died of a heart attack the previous day, and Hiss suspected that the unexpected meeting was an effort to divert public sympathy for White by shifting attention to his own case. (Nixon actually had arranged the session the previous night, before news of White's death reached him.)<sup>53</sup> When Hiss arrived at Room 1400, accompanied by his friend Charles Dollard, president of the Carnegie Corporation, they found Nixon and McDowell in the company of Stripling and other staff members (Parnell Thomas would arrive shortly). The encounter began on an acrimonious note, and Hiss remained irritable, angry, and defensive throughout the hour-and-forty-minute session. Nixon announced that the Committee had moved up the time for his meeting with Chambers in order to allow Hiss to determine at this early point whether his accuser was in fact George Crosley. Hiss asked permission to make a statement before the proceeding got under way. McDowell agreed, and Hiss launched into an

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#### HUAC: A Month of Headlines 35

attack on the Committee for leaking segments of his previous day's testimony to the press. The two Congressmen denied responsibility for the leaks, and after this initial bickering Nixon ordered Chambers brought in from the adjoining room, where, unknown to Hiss, he had been waiting.<sup>54</sup> Nixon directed both principals to rise: "Mr. Hiss, the man standing here is Mr. Whittaker Chambers. I ask you now if you have ever known that man before." Hiss responded cautiously: "May I ask him to speak? Will you ask him to say something?" Chambers gave his name, at which point Hiss inquired, "Are you George Crosley?"

MR. CHAMBERS: Not to my knowledge. You are Alger Hiss, I believe. MR. HISS: I certainly am. MR. CHAMBERS: That was my recollection.

Hiss then asked the HUAC members if Chambers's voice pattern had been somewhat deeper during earlier testimony and, although stating that he thought the latter was George Crosley, asked that Chambers continue talking. The Time editor began reading from a copy of Newsweek handed to him by Nixon. Hiss—who had asserted earlier that Crosley's most identifiable feature was a set of bad teeth—then posed a series of questions about dental work done on Chambers since the 1930s (the latter acknowledged that his teeth had been in abysmal shape during the period he claimed to have known Hiss). Still not positively identifying Crosley, Hiss said that Chambers was probably the man he had known, "but he looks very different in girth and in other appearances—hair, forehead, and so on, particularly the jowls." At that point Nixon and Stripling began a series of questions that contrasted Hiss's version of the relationship—Crosley as a "freelance 'writer," apartment rental, car transfer, gift of a rug, and other details—with the facts supplied earlier by Chambers. Hiss now said he had seen Crosley "ten or eleven times," never socially but only in the course of Nye Committee business, throughout

1935. Despite the denial of a social relationship, Hiss repeated his earlier testimony that Crosley had stayed overnight at his home on occasions other than the subletting of his apartment, and he reiterated that he had driven Crosley to New York once (date unknown). Stripling seemed bemused by the witness's apparent inability to make a positive identification:

I certainly gathered the impression when Mr. Chambers walked into the room and you walked over and examined him and asked him to open his mouth, that you were basing your identification purely on what his upper teeth might have looked like. Now, here is a person that you knew for several months at least. You knew him so well that he was a guest in your home. . . . You gave him an old Ford automobile, and permitted him to use, or you leased him your apartment, and in this, a very important confrontation, the only thing that you have to check on is this denture; is that correct? There is nothing else about this man's features

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### 36 PERJURY

which you could definitely say, "This is the man I knew as George Crosley," that you have to rely entirely on this denture; is that your position?

Hiss responded angrily:

I am not given on important occasions to snap judgments or simple, easy statements. I am confident that George Crosley had notably bad teeth. . . . I saw him at the time I was seeing hundreds of people. Since then I have seen thousands of people. . . . if this man had said he was George Crosley, I would have no difficulty in identification.<sup>55</sup> But Hiss had recognized the sarcasm in Stripling's remarks and immediately asked permission to ask Chambers "some further questions to help in identification." After all, "he may have had his face lifted." With the approval of Nixon and McDowell, Hiss began interrogating his adversary, who raised no objection to this unusual procedure. Although Chambers denied at this time having ever used the name "George Crosley" and denied that he had sublet Hiss's 28th Street apartment on a rental basis, he again noted that the Chambers family had spent three weeks living there when the Hisses moved to their new P Street home. Asked by Hiss to reconcile the two statements, Chambers responded, "Very easily, Alger," and brought their conflicting stories into sharp relief. Hiss had insisted "Crosley" was only a casual acquaintance "He meant nothing to me"-but Chambers ("Carl") stressed a more intimate bond: "I was a Communist and you were a Communist." Nixon interrupted, demanding further clarification, and Chambers reiterated his basic testimony: I came to Washington as a functionary of the American Communist Party. I was connected with the underground group of which Mr. Hiss was a member. Mr. Hiss and I became friends. To the best of my knowledge, Mr. Hiss himself suggested that I go there [to the 28th Street apartment], and I accepted gratefully. At this point, after some additional questioning of Chambers, an overwrought Hiss announced: Mr. Chairman, I don't need to ask Mr. Whittaker Chambers any more questions. I am now perfectly prepared to identify this man as George Crosley.<sup>58</sup> Stripling: "Will you produce for the committee three people who will testify that they knew him as George Crosley?" Hiss agreed "if it is possible," pointing out that since he had known Crosley in 1935, the only people who also might have known him "with certainty" were three associates on the Nye Committee staff, including Stephen Raushenbush, the staff director. "I shared seeing the press with Mr. Raushenbush," Hiss noted. But extensive later inquiries by the FBI and (separately) by Hiss's attorneys failed to produce a single other member of the Nye Committee staff-including Raushenbush-who had met George Crosley or Whittaker Chambers under any name.

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### HUAC: A Month of Headlines 37

Although they discussed politics "quite frequently," Hiss' said he had not known Crosley was a Communist. He reminded the subcommittee that the political atmosphere in Washington was "quite different" in the New Deal period from what it was in ~~~8; whether or not Crosley had been a Communist "was of [no] significance to

me," since "it was my duty to give him information, as I did any other member of the press." Now, complained Hiss in a rare rhetorical outburst, more than a decade later he had been summoned to the Commodore to "discover that the ass under the lion's skin is Crosley." Hiss announced that he was finished questioning Chambers/Crosley and could identify him positively "on the basis of his own statement that he was in my apartment at the time when I say he was there. . . . If he had lost both eyes and taken his nose off, I would be sure." Suddenly Hiss rose and began walking in Chambers's direction, stating loudly and "for the record" that he challenged his accuser

MR. HISS: . . . to make those same statements out of the presence of this committee without their being privileged for suit for libel. I challenge you to do so, and I hope you will do it damned quickly. I am not going to touch him [addressing Louis Russell of the HUAC staff]. You are touching me. MR. RUSSELL: Please sit down, Mr. Hiss. MR. HISS: I will sit down when the chairman asks me. MR. RUSSELL: I want no disturbance. MR. HISS: I don't MR. McDOWELL: Sit down, please. MR. HISS: You know who started this.

When testimony resumed after a recess, Hiss asked McDowell, who was serving as chairman, to obtain from Chambers "for the record his response to the challenge that I have just made to him." By this time Hiss had lost considerable self-control. For the next few minutes he argued with Stripling and Nixon over the legal question of whether Chambers's voluntary statement to Assistant Secretary of State Adolf Berle in 1939 was "privileged" testimony or might serve as the basis for a libel action. Nixon and Stripling felt it could be used for this purpose. Hiss said that his own counsel had advised him differently, and he demanded a transcript of his earlier testimony. Once more he claimed not to have known Chambers as "Carl" or to have paid Communist Party dues (as Chambers alleged) either to J. Peters or to Henry Collins: "Not even for the Audubon Society did I pay dues to Henry Collins." Nor did he know very much about Crosley's characteristics other than his bad teeth. Unconvinced, McDowell reminded the witness that

Of all the newspaper men that you were in contact [with] in your highly important job with the Nye Committee . . . you must have formed some sort of an affection for this man to go through all the things that you did to try to [have him] occupy your home, take over your lease, and give him an automobile.

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### 38 PERJURY

But Chambers reiterated that he had not represented himself to Hiss as a freelance writer, and Hiss conceded he had never seen anything Written by Crosley during their dozen or more contacts. All he could remember, vaguely, was that Crosley "was given to talking in quite a cultivated manner about a variety of subjects . . . [capping] any story with a story of his own." Hiss recalled one such story: Crosley's claim to have worked in laying rails for Washington's first street railway-which Chambers acknowledged having told Hiss, although not under the name George Crosley. The tense confrontation had left the participants emotionally drained. Hiss protested again the Committee's action in springing this unexpectedly quick meeting with Chambers, while Stripling and Nixon persisted in their familiar queries. Hiss asked if the group intended to publicize the session, "because I am interested in my own protection." He was told that the August 25 open session before the full Committee would take place as scheduled, with both Hiss and Chambers appearing as witnesses. Hiss said that his wife was already on her way from Vermont, and Nixon offered to remain in New York and take her testimony on the following day at her convenience. The hearing then concluded, as it began, acrimoniously.

MR. HISS: May I come with her? MR. McDOWELL: Yes. MR. HISS: Thank you. Am I dismissed? Is the proceeding over? THE CHAIRMAN: Any more questions to ask of Mr. Hiss? MR. Nixon: I have nothing. THE CHAIRMAN: That is all. Thank you very much. MR. HISS: I don't reciprocate. THE CHAIRMAN: Italicize that in the record. MR. HISS: I wish you would.\*

Nixon's stage-management had worked. The Commodore confrontation proved dramatically the essential point he had set out to demonstrate: that, whatever the relationship and under whatever name, Hiss and Chambers

knew each other. In their rush to inform the press, Nixon, McDowell, and Thomas all apparently dispensed with dinner that evening. Although the session ended at 7:15 p.m., the early editions of the morning papers published front-page stories based on telephone conversations with the trio. Nixon provided the information for the New York Times account-headlined ALGER HISS ADMITS KNOWING CHAMBERS; MEET FACE TO FACE"-which contained a summary of the confrontation and of Chambers's previous testimony. The Times also printed an account of a hastily called press conference at Hiss's

° \* Charles Dollard, who had accompanied Hiss to the Commodore meeting, later told Hiss's attorneys "that Alger behaved very badly, was very irritable. He could not tell whether Alger really recognized Chambers before he admitted it or not. Dollard thought that both McDowell and Nixon were trying to be fair. He also thought that they would not have called Priscilla if Alger had not practically insisted on it." "Memorandum of Conference with Charles Dollard . . .," Jan. 21, 1949, Hiss Defense Files.

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[ HUAC: A Month of Headlines 39

apartment that evening, at which he reiterated both his earlier testimony about George Crosley and his feeling that there was "something funny" about the Committee's having moved up the meeting date.<sup>57</sup> Sharing the Commodore Hotel suite with Nixon that evening was Donald Appell, who remembers the Congressman asking him to spend the night because he did not wish to be alone. Late that evening Nixon placed a phone call to Bert Andrews, and while the two men spoke, Appell went to bed. He awoke in the night to discover Nixon still discussing the case with Andrews and, after checking his watch, realized that the call had already lasted for over three hours.<sup>58</sup> When Priscilla Hiss appeared at the suite the following morning accompanied by her husband and Charles Dollard, the mood in Room 1400 had lightened considerably. Only Nixon and Appell were present to take her testimony, and their manner was almost serene. Mrs. Hiss had to wait while Nixon briefly interrogated a New York World-Telegram reporter, Nelson Frank, who had known Chambers in the "open" CP when both wrote for The Daily Worker and later, in 1932, while Chambers helped edit The New Masses. Asked if he recognized Chambers, whom he had not seen from 1932 to 19~, from press photographs, Frank replied:

Oh, yes. The face was definitely the same. I was quite surprised by the amount of weight he had put on . . . [hut] I would say his basic appearance, certainly of his face, was very much the same. . . . His teeth had always been noticeably bad . . . [and] he had got himself a nice set of teeth. . . . there was no doubt in my mind [however]. . . . As soon as I looked at the face, I knew him.

Such casual and immediate recognition of Chambers at first sight from photos, even after many years had passed, proved the rule among the latter's old Communist associates, underground contacts, and even brief acquaintances. Alger Hiss's inability to recall the man definitely for two weeks, under whatever name, despite Hiss's claim to have scrutinized press photos closely during that period, was the sole exception.<sup>59</sup> Priscilla Hiss's testimony took only ten minutes. Whether because he lacked sleep or because, as he later said, he felt "spent physically, emotionally and mentally," Nixon was an almost inert examiner. He ran Mrs. Hiss through the briefest account of her relationship with George Crosley. She said that she met Crosley in 193+ although she professed only the foggiest memory of that encounter. She confirmed that Crosley had stayed in their apartment for two or three days in the summer of 1935 before the Hisses moved to a new home, but, as for Crosley himself, "I have a very dim impression of a small person, very smiling person-a little too smiley, perhaps. I don't recollect the face, but a short person." Priscilla Hiss told Nixon nothing about having identified Chambers as Crosley for Edmund Soule on August 3. Nor did she remember either the trip to New York with Crosley mentioned by Alger Hiss or the last time she had seen the

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40 PERJURY

man, except for an "impression . . . of being perhaps a little put off" because he was "a sponger."<sup>60</sup> Despite Priscilla Hiss's perfunctory answers, Nixon did not question sharply or insist on more responsive testimony, as

he had done earlier with her husband. Instead, he brought the session to a close in a manner that contrasted starkly with the previous night's fireworks:

MR. ~NIXON~: I appreciate your coming. MRS. HISS: I am glad it has been so quiet, because that was really what I had a strong distaste for. I would like to thank you for our just being together. MR. HISS: I greatly appreciate your courtesy, Mr. Nixon.

Later that day Hiss wrote to Parnell Thomas, again expressing his deep reservations about submitting to a lie detector test. His own inquiries had persuaded him that the polygraph machine measured only "changes in certain physical indices of emotion" whose interpretation lay entirely within the "subjective discretion of the operator of the machine." In short, it had no scientific validity, and no federal agency-including the FBI, Hiss argued-accepted its results.<sup>61</sup> The Committee resumed its inquiry on August 20, with three of Hiss's New Deal associates-John Abt, Lee Pressman, and Nathan Witt-in executive session. President Truman, during a press conference the previous day, had again denounced HUAC's spy probes for infringing on the Bill of Rights, but a discernible shift in opinion toward the hearings had begun to take place, even among many moderates and liberals, spurred of course by the revelation that Hiss had admitted knowing Chambers/Crosley. "Get to the Bottom," demanded a New York Herald Tribune editorial that morning. The Tribune, critical of the Committee in the past, now pronounced that the group, "whatever its past or i;resent sins, is really trying to get to the bottom of a matter which is of serious public consequence." Abt, Pressman, and Witt did little to assist in this search for evidence; all three declined on grounds of self incrimination to answer questions about their own alleged Communist activities or about their knowledge of such involvement on the part of either Hiss or Chambers. Abt and Pressman were then leading officials in Henry Wallace's Progressive Party campaign; Witt practiced law in New York City. Hiss had testified to social contacts with all three and also to having worked with them at the AAA, but he denied knowing that any of them was a Communist. The proceeding lasted little more than an hour, and it is doubtful that Nixon had expected any more from the uncooperative witnesses than what they provided for the record-and for the following day's headlines: repeated reliance on the Fifth.\*<sup>62</sup> \* Two years later almost to the day, Pressman testified again before HUAC, this time voluntarily and more fully about his Communist involvements. Nixon was also present that day. The Korean War was then in progress, and Pressman had broken publicly with the left-wing American Labor Party shortly before his appearance. Although he

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#### HUAC: A Month of Headlines 41

Nixon held a final one-man executive session on August 24, at which he interrogated a half-dozen witnesses to corroborate important aspects of Chambers's testimony. Martha Pope, who worked as a maid for the Hisses intermittently between 1930 and 1935, could not recall seeing the Chambers family either at the 28th Street apartment they had sublet or at the house on P Street to which the Hisses had moved. Photographs of whittaker and Esther Chambers and their baby daughter taken at the time did not change her testimony. Mrs. Pope's recollections, however, damaged Hiss's story in one respect. She told of having worked for the Hisses at their P Street home for four or five months before leaving-in other words, well into the fall of ~93~-and having seen only the Ford car "all the time that I worked for them," not the new Plymouth, although Hiss said he gave the Ford to Chambers in June 1935 at the time he sublet at 28th Street.<sup>63</sup> The transfer in ownership of that 1929 Ford with the "sassy little trunk" had brought the four remaining witnesses to the Old House Office Building that afternoon, three of them officials of Washington's largest auto dealership, the Cherner Motor Company. A search by HUAC staff of District of Columbia Motor Vehicle Bureau records had turned up the certificate of title to the car, and that document directly contradicted Hiss's testimony about casually giving the automobile to Chambers in June 1935 as part of the apartment rental. It established that Hiss had signed over title to the car to Cherner Motor Company more than a year later, on July 23, 1936. (Hiss would later concede the genuineness of his signature on the title transfer, but would alter his original story to account for the later disposal.) The reverse side of the certificate indicated that Cherner Motor, in

did not plead self-incrimination before the Committee, he sparred constantly with its members, who felt that he was still being far from candid. Pressman named himself, John Abt, Henry Collins, Charles Kramer, and Nathan Witt as members of the Ware Group during the '933-35 period. He also confirmed having met J. Peters at the time. But the witness insisted the Ware Group had been a Marxist "study group" and not one that pilfered government documents. Moreover, he had never met Whittaker Chambers and, as for Alger Hiss, "for the period of my participation in that group . [he] was not a member of the group. Although Pressman qualified his assertion by avowing that he had "no knowledge" of Hiss's political beliefs or affiliations, his testimony helped neutralize a public statement made earlier that year by another Ware Group member, Nathaniel Weyl (unnamed by Pressman but self-confessed), that Hiss had been an active member of the group. Significantly, Pressman could not recall the names of any Ware Group members other than the four he mentioned, whose Communist involvement at the time had long been the subject of public comment. His testimony, in short, was cooperative but within sharp limits that restrained total candor-perhaps about Hiss and certainly about Chambers. Both Pressman and Witt aided Hiss in 1948 and 1949 while the latter's attorneys sought information to disprove Chambers's story. Both men told Hiss's attorneys "\hat the story about the first apparatus which had allegedly met in Henry Collins' house [i.e., the Ware Group] was completely false," a statement that Pressman-though not Witt-revised in his 1950 HUAC testimony. For Pressman's August 28, 1950 HUAC testimony, see HUAC, "Hearings Regarding Communism in the United States Government-Part 2," 81st Cong., and Sess., pp. 2844-2901. Also see "Re Lee Pressman (and Nathan Witt)," Mar. 7, 1949, Hiss Defense Files.

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## 42 PERJURY

turn, sold the car for \$25 to a William Rosen that same day. (Rosen would be identified by Committee investigators shortly as a member of the Communist Party.) All three auto-dealership officials who testified-Joseph Cherner, Samuel Mensh, and Henry Gertler-said they had no knowledge of the 1936 transaction. Nor did they know of those apparently involved-Hiss, Rosen, or J. Peters-except for the person whose address was listed below Rosen's signature on the Ford title-transfer certificate, Benjamin Bialek, a leading Baltimore CP official. Joseph Cherner (and, in later testimony, his two brothers, Leon and Henry) admitted knowing Bialek, but not as a Communist. Joseph Cherner also testified that his company kept no records going back to 1936, only to discover that HUAC staff members had found entries for the month of the Ford transfer while examining the company's books, but no listing of the transaction. Cherner then agreed that the entire process-taking in a car without any purchase payment and selling it the same day-seemed "very unusual." Although Samuel Mensh identified his signature on the title assignment to Rosen, he pointed out that he signed titles for such sales in batches of up to a dozen and rarely knew all the buyers.<sup>64</sup> An attorney at the Department of Justice who had notarized the document there in 1936, W. Marvin Smith, then identified his signature. Like Mensh before him, however, Smith could not recall the incident. Questioned by Nixon and Mundt, Smith stated he would not have notarized the transfer had Alger Hiss not signed the form in his presence. Moreover, Smith thought the assignment to Cherner would already have been filled out when Hiss signed because he (Smith) made it a practice never to notarize blank assignments on such documents.\*<sup>65</sup> That evening Alger Hiss released to the press the text of a long letter he had just sent to Chairman Thomas. It not only detailed Hiss's irritation at his inability to deflect further pursuit by the Committee, but also presented the lines of his future legal and public defense. "The accusations against him went "beyond the personal," Hiss wrote, since these charges were being publicized in order "to discredit recent great achievements of this country in which I was privileged to participate." Thus Hiss linked his own misfortunes directly to his services in the New Deal, at the Yalta Conference, and in the founding of the United Nations. He called Mundt, in particular, "trigger quick to cast such discredit," and claimed that the Congressman had already declared him guilty in the press.<sup>66</sup> As for Chambers, Hiss called him a "self-confessed liar, spy, and traitor": "It is inconceivable that the men with whom I was intimately associated during those fifteen years (in all three branches of government) should not

\* W. Marvin Smith committed suicide later that year, but no direct connection to his HUAC testimony has ever been proved.

know my true character far better than this accuser." He asked, in effect, why-if Chambers spoke the truth-no one had caught him (Hiss) out during this long period, or why his actions as an official had not revealed evidence of Communist association. Outlining in detail his career and his associates, Hiss thereby played what was clearly his strongest suit-a defense by reputation. He dwelt on the "living personages of recognized stature under whom or in association with whom I worked in the government." The list was a formidable one, a veritable catalogue of Establishment figures in American politics and government, all of whom would presumably verify Hiss's integrity. It included three former Secretaries of State-Cordell Hull, Edward Stettinius, and James Byrnes; two prominent U.S. Senators-Tom Connally and Arthur Vandenberg; former Under Secretary of State Dean Acheson; Supreme Court Justice Stanley Reed; Judge Jerome Frank and Chester Davis, his superiors at the AAA; former Senator Gerald Nye, head of the munitions investigation for which Hiss served as a chief attorney; John Foster Dulles and a dozen others, including Mrs. Eleanor Roosevelt, with whom Hiss had served at international conferences; and his State Department superiors, Francis Sayre and Stanley Hornbeck. The roster included generals and admirals, Republicans, Democrats, and independents, "with whom and under whom I worked intimately." All were "persons of unimpeachable character." Let them be his judges, Hiss demanded of Thomas; had any of them ever found him wanting in the "highest adherence to duty and honor?" Many of those listed would in fact stand behind Hiss in his subsequent efforts to demonstrate innocence, either privately or by testifying as character witnesses. Sayre and Hornbeck, for example, both praised his integrity while at State, although Sayre questioned important aspects of Hiss's story and Hornbeck acknowledged receiving warnings of his possible Communist ties from French intelligence sources (by way of the American Ambassador to France), probably in 1940. Stettinius and Acheson, both personal friends of Hiss, but not Byrnes, would also vouch for his fidelity as a departmental official; Justice Reed would testify publicly to his good character, while Mrs. Roosevelt supported his cause faithfully in her newspaper columns. But others named had doubts, sometimes grave ones, about Alger Hiss's reliability. Both Frank and Chester Davis believed Hiss to have been closely linked with the coterie of Communist lawyers within AAA, and neither would appear as a character witness. Byrnes had cooperated closely with the State Department's security investigation of Hiss in ~46; he told the FBI that he would have fired him outright except for the mandatory Civil Service Commission hearing, which would have revealed confidential Bureau I' sources on the affair (State Department and FBI memos show that Byrnes and J. Edgar Hoover worked together to ease Hiss out of the Department in 1946.) Nye told the FBI he thought Hiss had been a Communist when he

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#### 44 PERJURY

worked for the munitions investigating committee during the 1934-35 period (the time when Hiss and Chambers met) and declined to cooperate with Hiss's lawyers. Several others-including all of the military officers also refused to come forward in the months ahead, and Dulles eventually disowned Hiss completely. Even Hornbeck came to believe that Hiss had lied about his ties with Chambers. But when Hiss released his letter to the press on August 25, the morning of his public confrontation with Chambers, newspaper readers had to believe that the Carnegie Endowment president enjoyed the wholehearted support of all these prominent figures. Hiss provided in the letter his first response to the often asked question of why Chambers had made such charges if they were untrue. He denounced Chambers as "a self-discredited accuser whose names and aliases are as numerous and as casual as his accusations." Hiss's explanation, simply, was that Chambers was unbalanced.

Is he a man of consistent reliability, truthfulness and honor: clearly not. He admits it, and the committee knows it. Indeed, is he a man of sanity? Getting the facts about Whittaker Chambers, if that is his name, will not be easy. My own counsel have made inquiries in the past few days and have learned that his career is not, like those of normal men, an open book. His operations have been furtive and concealed. Why? What does he have to hide? I am glad to help get the facts.

The tone and contents of his letter to Thomas indicated that Hiss had recovered completely from the attack of nerves suffered during the subcommittee meeting at the Commodore Hotel.

AUGUST 25: The Climax For the first time at a congressional hearing, television cameras were in place to record the confrontation of August 25. Chairman Thomas reviewed the previous three weeks' testimony, mentioning the August 17 encounter at the hotel between Hiss and Chambers, and pointedly observing: "As a result of this hearing, certainly one of these witnesses will be tried for perjury."<sup>67</sup> Alger Hiss was accompanied to the witness table by attorneys John F. Davis and Harold Rosenwald of New York, a friend and former Harvard Law School classmate. Robert Stripling asked Whittaker Chambers to stand and, for the record, asked Hiss whether he had ever seen the man. Hiss and Chambers faced one another, and the former identified his antagonist as "George Crosley," whom he "first knew . . . sometime in the winter of 1934 or 1935 . . . [and last saw] sometime in 1935." The identification, however, was doubly qualified by the statement: "according to my best recollection, not having checked the records." Chambers was sworn as a witness at that point and agreed that he knew the person facing him as Alger Hiss, whom he met "about 1934" and last saw "about 1938."

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\*1-. HUAC: A Month of Headlines 45

The questioning did not go well for Hiss. He admitted not having been able to identify Chambers previously on the basis of press photographs. He complained about his inability to refresh his recollection by access to the appropriate records, particularly with respect to the District of Columbia's Motor Vehicle Bureau file on the 1929 Ford, which, Hiss asserted, had been taken by the Committee. Stripling noted that his investigators had subpoenaed only a photostatic copy of the car's certificate of title; the original should still be in the file. A question about the lease between Hiss and "Crosley" drew from the witness a reminder that he had never testified there was such a written document, only "a sublease orally arranged." Hiss had since learned that the dates originally given the Committee were in error-he had left the 28th Street apartment and begun residence at P Street earlier than remembered in previous testimony, but he could not give precise dates until he reviewed the records. The HUAC investigators, however, had done their homework. Stripling produced letters from local realtors detailing Hiss's various leases, although Hiss challenged the significance of this information: "The important charges are not questions of leases, but questions of whether I was a Communist." Nixon: "The issue in this hearing today is whether or not Mr. Hiss or Mr. Chambers has committed perjury before this committee, as well as whether Mr. Hiss is a Communist."<sup>68</sup> If it could be shown that either Hiss or Chambers had deliberately lied, Nixon suggested, not simply on what Hiss called "housekeeping details" but about the nature of their relationship, then the Committee might have some general yardstick by which to measure "the truth or falsity" of conflicting statements. Debating this point, Hiss said it did not appear to him "a very rational basis for determining credibility," but Nixon reminded him that when a witness is found to be lying on material questions raised during a court proceeding, his credibility on other questions becomes suspect. The Committee had already shown, Nixon went on, that Hiss knew Chambers; the question now was "how well you knew Chambers and whether you knew him as a Communist." The interrogation about leases had shown that, whatever else was true, Chambers and his family could have sublet the former Hiss apartment for a maximum of two months, May and June 1935, and not-as Hiss had claimed earlier-for the entire summer, nor even during the normal July-August summer period. Having established Hiss's inaccuracy on this housekeeping detail, Stripling turned to the question of verifying Crosley's identity. Again Hiss mentioned his three Nye Committee associates, but in the months ahead he was able to find only one person to identify Chambers as George Crosley, a New York publisher of pornographic literature named Samuel Roth, who proved to be of little use to Hiss for two reasons: the nature of his business had produced several jail sentences, and he claimed knowledge of the

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46 PERJURY

pseudonym almost a decade before Hiss met "Crosley." Roth asserted that Chambers had published under his

own name several poems on sexual themes in one of his periodicals in 1926 and 1927; subsequently, according to Roth, Chambers had submitted another group of poems for publication with an accompanying letter requesting that they be printed under the name "George Crosley." But Roth had not saved Chambers's letter, and he had returned "Crosley's" poems unpublished the following year.~ No one else could remember the elusive Mr. Crosley. Stripling pointed out that HUAC probes had failed to turn up a single article written under the name "George Crosley" in the Library of Congress's bibliographic files, and no one in publishing (except Roth) came forward. Again Hiss testified that Crosley had told him he hoped to sell his articles on the Nye Committee to the American Magazine-here and in later testimony Hiss was definite about Crosley mentioning that particular publication. Yet, unknown to the Committee, a friend of Hiss's, Beverly Smith, had published a long account of the Nye Committee's work in the May 1935 issue of the American at precisely the time when Hiss claimed to have discussed the subject of such an article with Crosley. Furthermore, Smith's piece, a portrait of Nye's career and of the munitions investigation, was the second such article to appear in the American in as many months. The April 1935 issue contained an article by General Hugh S. Johnson, head of the National Recovery Administration, criticizing the Nye group's focus on profits made by munitions makers. Unaware of these articles, Stripling and Nixon missed a chance to raise the question of why-as a lawyer and Nye Committee official-Hiss had failed to check out Crosley's credentials concerning the placing of an article in the American with Smith, an old friend of the Hiss family. 70 The issue of Hiss's transfer of the Ford became the focus of much questioning. Committee members now pursued the witness avidly and, for the first time, with barely disguised disbelief. Again Hiss's "best recollection" was that he had given the Ford to Chambers as part of the transaction involving the apartment sublet at 28th Street-that the two deals were "simultaneous"-and that he owned "both a [new] Plymouth and this old Ford" at the time, the Ford "of no use, deteriorating, being left outdoors." Stripling: "Well, as a matter of fact, Mr. Hiss, you sold the [Ford] car a year later, did you not?" Stripling then produced a photostat of the D.C. Motor Vehicle Bureau's certificate of title for Hiss's 1935 Plymouth sedan, which listed the owner's address as 2905 P Street, N.W., and contained the following information: "How secured: Conditional sale; date, September ~, 1935, purchased from the Smoot Motor Co., Inc." Hiss had purchased the Plymouth, in other words, four months after allegedly subletting the 28th Street apartment to Crosley, and two months after Crosley's last possible date of residence there.71

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#### HUAC: A Month of Headlines 47

Nixon pointed out that the June 1935 ads in the Washington Evening -Star showed the "lowest-cash value" for 1929 Ford roadsters to be \$59 more for trade-ins-and not the \$25 value earlier cited by Hiss. The witness reiterated that because of his "sentimental attachment" to the Ford, he preferred to give it to Crosley, a casual acquaintance, rather than to sell the old Model A or trade it to a dealer. Stripling noted Chambers's previous testimony that Hiss had purchased -a new car "in 1936 probably" and that Hiss had allegedly disposed of the -Ford to a Communist organizer through a Washington service station or - , car-lot owner. It was then that Stripling introduced the July 23, 1936, D.C. certificate of title showing that Hiss had assigned the Ford to the Cherner

Motor Company. Exempting the three Cherner Motor officials from any responsibility --for the transfer (although presumably someone at the company had taken part in the dummy transaction), Stripling said: "The point we are making is that Mr. Hiss, according to this document, delivered the Ford automobile to the Cherner Motor Company on July 23, 1936. On that same date this car was sold or transferred to one William Rosen, but there is no -evidence in the sales records of this particular transaction." Although Hiss could not recall having signed the certificate, nor writing in the name and address of the Cherner Motor Company, he conceded "that also looks not unlike my own handwriting." When Stripling and Nixon reminded the witness that W. Marvin Smith had testified he notarized the signature, Hiss agreed that "with the evidence that has been shown to me" the signature was indeed his. But he persisted in disclaiming -"present recollection of the disposition of the Ford." That afternoon Hiss adjusted his testimony to take into account the newly revealed 1936 certificate of title. After giving Crosley the car in 1935, he speculated, "at some later stage he or someone else [possibly] came to me and said 'You disposed of a car, there remains a technical transaction to be completed,' "~but Hiss

said he did not remember such an event. He also stressed the possibility that the Ford "may have bounced back or it may have been a loan." Hiss now recalled vaguely having seen Crosley "not more than a couple of times-two, three times" after his 28th Street sub-tenancy, and he said also that Crosley might have stayed with him once after that time when he could not obtain a hotel room. The boundaries of the relationship between the two men kept expanding as the day wore on. Hiss stated that Crosley, after receiving the Ford in mid-1936, might have given it to someone else who in turn approached Hiss in July 1936 to conclude a "formal" transfer. But the witness no longer doubted that he had indeed signed the certificate of title transfer that month. If he had allowed someone else to use the car for over a year while retaining title, Nixon rejoined, Hiss would still have been liable in the event

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## 48 PERJURY

of an accident involving the vehicle. Surely as a lawyer "who stood extremely high in his class at Harvard Law School," Nixon observed, he would have recognized that fact? "I certainly did not realize it," Hiss responded. Reviewing Hiss's testimony about the Ford from his earliest appearance before HUAC, Nixon noted that until that day the witness "had conveyed the impression that the transfer was outright, that he didn't get the car back, that it was not a loan, since he had used the words 'sold,' 'got rid of.'" This earlier testimony about a car transfer in May or June 1935 had now been discredited, Nixon continued, and "if Mr. Hiss did give Mr. Crosley a car at any time, he gave it to him after September . . . 1935 when he had both of his cars . . . at a time . . . after Mr. Hiss had learned that Mr. Crosley was not financially responsible and that he had not paid his rent."<sup>72</sup> Raising the general issue of Hiss's "credibility," Mundt asked him when he first informed John Foster Dulles about his 1946 FBI interview. Hiss had been elected president of the Endowment in December 1946 and began work there on February 1, 1947. "At that time, Mr. Mundt, the FBI had not come to interview me,"<sup>7</sup> replied Hiss. But the 1946 interview took place in March, eight months before his selection by the Carnegie Endowment board. As for Dulles, Hiss remembered a conversation "shortly after I had been elected but before I had assumed office . . . in which he said that he had heard reports that people had called me a Communist. We discussed those reports at that time. . . . Sometime in December 1946." Hiss acknowledged that Dulles and not he had raised the subject: "Mr. Dulles called me and said he had had a report. I said, 'I thought that had been laid to rest,' and I discussed it with him then." Dulles would later recall a different sequence of events. He confirmed a phone conversation with Hiss in January 1947, held after Dulles had first received the disquieting reports: "Hiss replied," according to Dulles, "that there had been some rumors which, however, he had completely set to rest at Washington. . . . I do not recall that Hiss then mentioned the FBI, but he might have done so, although I recall he treated the matter very lightly."<sup>73</sup> In Dulles's account, in other words, a version later confirmed by Hiss, the latter said nothing about any charges of Communist ties made against him until after he had been selected president of the Carnegie Endowment. But when Republican Congressman Walter Judd raised the same charges against Hiss in several letters to Dulles the following year, the latter had asked Hiss for an explanation. Again Hiss had "categorically denied any Communist association or sympathy," but in explaining the basis of these rumors to Dulles, he described his former associates at the Harvard Law School and in the Department of Agriculture far differently than he did to HUAC later that year:

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## HUAC: A Month of Headlines 49

Hiss says that when he first came to New York [in 1932], [Dulles wrote to Judd] he wrote for and helped to edit a little paper on labor decisions [for the International Juridical Association, a Communist-front organization] and that some of his associates [Hiss specifically mentioned Lee Pressman in a confidential memo on the conversation filed by Dulles at the time] were labor people who he now knows may have been or may have become Communists.

In his confidential file memo on the talk, Dulles also noted a point he mentioned when writing to Judd: that Hiss "also said that when he was in the Department of Agriculture there were there some persons who might have

had some Communist sympathy, but he had with them only casual acquaintance." In all of his appearances before HUAC, Hiss never alluded to such personal knowledge or belief that any of his former colleagues and 4" friends-not "casual acquaintances" -in either the International Juridical Association or the AAA might have had Communist connections. On the contrary, Hiss several times specifically disclaimed such awareness, both to HUAC and to the FBI.<sup>74</sup> The Committee members no longer bothered disguising their doubts concerning Hiss's veracity. Hebert, for example, insisted he had difficulty in understanding a man of Hiss's "intellect and . . . ability who gives to casual people his apartment, who tosses in an automobile, who doesn't know the laws of liability, who lends money to an individual just casually, [yet] is so cautious" in responding to the Committee's questions. Mundt made a long statement about his own attitude toward the hearings, telling Hiss he had been "inclined to be in your corner" and accept his statements "at face value" in the beginning-an assertion confirmed in Mundt's earlier letters to Republican officials-"despite the fact that . . . I had frequently heard the name of Alger Hiss bandied about as having possible Communist connections in years past." Mundt described these rumors as "rather common scuttlebutt . . . around Washington." Previous testimony, according to Mundt, had produced several "points in agreement":

You knew this man [Chambers]; you knew him very well. You knew him so well that you even trusted him with your apartment; you let him use your furniture; you let him use or gave him your automobile. You think that you probably took him to New York. You bought him lunches in the Senate Restaurant. You had him staying in your home. . . . and made him a series of small loans. There seems no question about that.<sup>75</sup>

Three basic points of disagreement existed between Hiss and Chambers, Mundt continued, none of which the Committee could then resolve definitely: Was Hiss a Communist? Did he belong to the underground Ware Group? And had he known Chambers as "Carl" or as "George Crosley"? But where the Committee had been able to obtain "verifiable ° evidence," Mundt noted that Chambers's testimony "has stood up. It ° stands unchallenged," and on some of the other points of contention Hiss's ° testimony "is clouded by a strangely deficient memory. Hiss responded:

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## 50 PERJURY

"Chambers has, by his own testimony, been peddling\* to various Government agencies for ten years or so stories about me. During that time he has had an opportunity to check on all sorts of details about my personality." Reminding the Committee that facts such as his interest in ornithology could be found in Who's Who, Hiss further implied that Chambers had also consulted Time's file on him for background data. He challenged specifically one piece of his accuser's testimony: that he had enrolled his stepson in less expensive schools in order to donate child-support funds from Mrs. Hiss's former husband to the Communist Party. He promised to "examine other points" and to produce witnesses who knew Chambers as Crosley. When Hiss demanded that Chambers state-among other things whether he had ever been charged or convicted of a crime, or whether he had ever been treated for mental illness, Hebert broke in to observe that whenever a former Communist testified before HUAC, "a typical Communist smear is . . . to say he is insane or an alcoholic or something else is wrong with them." According to Hebert, he had already asked Chambers whether he was an alcoholic or had ever been treated psychiatrically, in or out of an institution, "and he replied in the negative." Apparently the rumors about Chambers and mental illness, noted Hebert, "came from Time Magazine by his own associates," but when Nixon asked whether Hiss had any hard evidence, the witness backed down: "I have made no such charge." Hiss said he was only "seeking information," although he admitted having received "reports made by individuals . . . members of the press . . . so far only hearsay" concerning Chambers's mental health.<sup>76</sup> After avowing that he last saw Crosley "sometime in 1935," Hiss qualified the statement. He did not believe there had been any contact with Crosley in 1936 (the year of the Ford car transfer) and he was "reasonably positive" he had not seen the man in 1937, although it was "conceivable and possible" that he might

have. But Hiss insisted he had never met Crosley at the 30th Street house in which he had lived from June 1936. Nixon asked caustically whether the witness meant to imply that Chambers, if indeed he had been "George Crosley," had charged Hiss with Communist ties because of an unpaid debt of approximately \$100? Such a trivial obligation, Hiss countered, could not "possibly motivate any normal person to make such a charge." Hiss stressed the word "normal," and-before stepping down-at Nixon's insistence, he gave the various sources of rumors he had heard about Chambers's alleged mental instability. The day had gone badly for Hiss, and Chambers's testimony that afternoon, which also covered familiar ground, reinforced his difficulties. "The two principals, by this time, had completely reversed their earlier roles before the Committee. Hiss's performance had been nervous and \* only his original visit to Berle-at Isaac Don Levine's request-was voluntary on Chambers's part.

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## HUAC: A Month of Headlines 51

emotional, while Chambers now appeared relaxed, calmly answering the questions put to him. Under Stripling's gentle prodding, he reviewed his career as a Communist, both in the "open" Party and in the underground before defecting "in early 1938." Stating that he had met Hiss while in the underground "a number of times . . . let's say 20 times" during a period that began "probably in 1934" and continued until 1938, Chambers denied that he had sublet Hiss's 28th Street apartment. "There was no talk of a sublease," he insisted; Hiss had merely suggested that he use the apartment.<sup>77</sup> Chambers termed Hiss a "devoted and at that time a rather romantic Communist" because of his willingness to violate the traditional separation between secret and open Communist parties in the Ford transaction. Chambers asserted, with some exaggeration, that he had seen Hiss "constantly" in 1936 and ~~~~actually he remembered only twenty meetings overall between 1934 and 1938-and maintained further that he had stayed at Hiss's home overnight several times during this period. Describing in detail his final visit to the Hiss household in December 1938 to try and persuade Hiss to leave the Communist underground, Chambers called Hiss "the closest friend I ever had in the Communist Party."\* When Nixon asked about his reasons for testifying against Hiss, (\$1 Chambers provided this melancholic explanation:

"The story has spread that in testifying against Mr. Hiss, I am working out some old grudge, or motives of revenge or hatred. I do not hate Mr. Hiss. We were close friends, but we are caught in a tragedy of history. Mr. Hiss represents the concealed enemy against which we are all fighting, and I am, fighting. I have testified against him with remorse and pity, but in a moment of history in which this Nation now stands, so help me Cod, I could not do otherwise. He then identified a photograph of J. Peters, whom he told of seeing for the last time "shortly before I broke. It was in the early 1938 period." Hebert asked, finally, whether he had any motives for lying about Hiss. Chambers denied that he had any, pointing out that he was "jeopardizing not just my position on Time . . . [but] my position in the community" through appearing before HUAC. He called Hiss's testimony "80 per cent at least fabrication." Shortly before the nine-and-one-half-hour session adjourned, Chambers tried to explain the appeal that Communism held for educated people such as himself and Hiss during the Depression decade:

Marxism, Leninism offers an oversimplified explanation of the causes [of world economic crisis] and a program for action. The very vigor of the project particu

\* Although this claim may have revealed more about the loneliness of Whittaker

Chambers's underground life than about his intimacy with the Hisses, there is substantial evidence to support Chambers's claim that the two couples enjoyed a close, ongoing relationship in 1937 and 1938.

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## 52 PERJURY

larly appeals to the more or less sheltered middle-class intellectuals, who feel that there the whole context of their lives has kept them away from the world of reality.<sup>78</sup>

## AUGUST 26: The Mysterious Ford

The Committee next held an executive session on August 26 to question William Rosen, the first of ten witnesses to be subpoenaed over the next two weeks in an effort to clarify the circumstances surrounding the 1936 Ford transfer. Rosen, sixty-four years old in 1948, ran a small dry-cleaning shop in the District of Columbia and said he had lived there only since 1941. He claimed to have resided in New York City in 1936, but pleaded the Fifth Amendment when asked whether he had ever visited Washington that year. A subsequent witness, Irvin Farrell, said that Rosen and his wife had run a dry-cleaning store in Washington in 1935 and 1936, a shop Farrell patronized. But Rosen would not respond to questions about his possible Communist affiliations or his knowledge of the Ford transfer.\*79 Stripling asked the witness how the purchase of a 1929 automobile could possibly incriminate him, and Rosen answered: "It might bring out something else and it may involve me in answers that might incriminate me after." He declined to state if he had been a Communist organizer in 1936, but did not claim his privilege when asked if he knew J. Peters: "Never heard of him, never seen him, don't know him." Rosen also testified that he had never met Alger Hiss, although such a meeting had not been the point at issue in the Ford transfer. The witness refused to say whether he knew Benjamin Bialek, whom the Committee suspected of having arranged the 1936 transaction. After a Labor Day recess, Addie Rosen stated that she did know Bialek, although she disclaimed any close relationship. Mrs. Rosen denied that her husband had been in Washington in 1936, that he had ever purchased an auto from Cherner, or that he had ever owned a 1929 roadster. She denied knowing anything about the Ford transfer. Stripling had come prepared with data that seemed to confirm Mrs. Rosen's Communist Party membership, but the witness declined to answer any questions on the subject. Next day, Rosen-the threat of a contempt citation hanging plainly over him-decided to answer some questions about which he had previously

\* "The Committee advised a subsequent witness, Henry Cherner, a former partner in Cherner Motors, that their handwriting experts were "pretty certain" he had written Rosen's name on the title transfer. Cherner denied this, but admitted: "I have had people sign titles and then I would fill the address in. I have done that many a time. Whether I did it in this particular case, I wouldn't say." He said he did not know William Rosen and stressed that the signature on the Ford title certificate was not his. HUAC, I, pp.1319-1328; see also pp. 1227-1229 for Henry Cherner's earlier testimony.

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### HUAC: A Month of Headlines 53

refused to testify. He acknowledged now a distant acquaintanceship with Benjamin Bialek, but still declared he had not been in Washington in 1936. Admitting to CP membership from 1923 to 1929, Rosen said he had not been a Communist in 1936, but refused to answer whether or not he was ° still a Party member. Nor would he say if he knew anything about the 1936 ° Ford transaction except that "this thing" had already "ruined my life, has mined my livelihood, has mined me." Although he asserted that no one from the Communist Party had "instructed" him to testify, Rosen refused to say whether Baltimore Party officials had contacted him concerning his August 26 appearance before HUAC.<sup>80</sup> Although the complete story of the Ford transaction will probably never be known, Rosen's lawyer spelled out the essential details for the benefit of one of Hiss's attorneys in a remarkably candid meeting on March 9, 1949. In a memorandum filed that day, Edward C. McLean wrote:

Emmanuel Bloch, attorney for William Rosen,\* told me the following [facts] -today. Rosen does not know Hiss. Rosen did lend himself to a dummy transaction concerning the Ford car. Apparently Rosen did not sign the title certificate dated -July 23, 1936. It is not clear whether Rosen knew at that time that his name would be used in this transaction. However, at some later date, a man came to see Rosen and told him that the title certificate to the Ford was in Rosen's ° name and asked Rosen to sign an assignment of it to some other person. Rosen did this. The man who came to see Rosen is a very high Communist. His name would be a sensation in this case. The man who ultimately got the car is also a -Communist. Bloch implied that Rosen was a Communist too but did not say so expressly.<sup>81</sup>

McLean's memo tends to verify Chambers's account of how the 1929 Ford roadster with the "sassy little trunk" left Alger Hiss's ownership to be -transferred by "a very high Communist" (J. Peters?) to another Party member. It cannot be established beyond doubt that Hiss knew of the -Ford's ultimate destination while signing the title transfer. But his claim to have disposed of the automobile in mid-1935 as part of the 28th Street apartment "sublease" is as unpersuasive today as it was in its first telling.

#### AUGUST 27: The Hiss-Chambers Farm

The HUAC hearings took still another surprising turn two days after the public confrontation. The Baltimore New&Post published on August 27 an account of real estate transactions surrounding Chambers's purchase in 1937 of thirty eight acres and a dilapidated farmhouse near Westminster, Maryland. A year before, in 1936, Alger and Priscilla Hiss had signed a bill of sale to buy that same property.

\* Bloch, later widely known as attorney for Julius and Ethel Rosenberg, also represented

J. Peters for a time in 1948.

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#### 54 PERJURY

The New&Post carried long accounts of the Carroll County farmhouse, which had been known in 1936 as "the Shaw place" after the owner, who died that year. The newspaper quoted from the correspondence exchanged by Edward W. Case, a real-estate agent involved in both transactions, separately, with the Hisses and Chambers. After Stripling and Nixon heard rumors of the dramatic development from New&Post reporters, a HUAC investigator rushed to Case's Westminster office to subpoena the correspondence. By the time agents from the FBI's Washington field office reached Case several days later, only two letters on the negotiations remained in his files, both inadvertently held back from HUAC's Appell.<sup>82</sup> That night, Nixon's subcommittee asked Chambers about the Westminster farm. Although his memory was fuzzy about some of the details regarding Hiss's interest in the property, Chambers confirmed the basic outline of the New&Post's account. "Mr. Hiss and I had talked about how much each of us would like to have a small place in the country somewhere," Chambers stated. Sometime soon after this conversation (Chambers could not recall the date) Hiss spotted Case's advertisement of the Shaw place, went to inspect it, and made a down payment or deposit:

He then at some time took Mrs. Hiss up there, and Mrs. Hiss did not like the place and did not like the countryside. I heard her say . . . some such expression like "a nasty, narrow valley." . . . Then, Hiss called off his arrangement with the realtor. "Then, some time later, according to my recollection almost a year, but I could be mistaken, I appeared on the scene; that is, I got in touch with Case-I left out an important thing-I made one trip up there with Alger Hiss . . . and saw this place. They drove there in the 1929 Ford, according to Chambers, which would have meant that the trip took place prior to July 1936. But he did not stay overnight in Westminster with Hiss, and did not meet Edward Case that day. Since the farmhouse front door required only a skeleton key to open (Case later said he had probably given Hiss a key in exchange for the deposit), such an encounter was unnecessary. Chambers remembered meeting Case for the first time "a good deal later" when he himself went to inspect farm properties, long after Hiss had withdrawn his deposit. Hiss did not know Chambers had purchased the Shaw place: "I did not want him to know it, because I bought the house under my name, and didn't want him to know my real name." Such behavior puzzled the subcommittee, and, somewhat exasperated, Chambers lectured them briefly on the nature of underground work:

Americans are not conspiratorial by nature and tradition, and they cannot understand how conspirators work. Now this whole set-up here [in the 1930s] was conspiratorial. . . . I had two compartments, Whittaker Chambers on one side, which is my more or less private compartment, and Carl in these [Communist] groups here, and I did not 'want to make any bridge between them. ....

Chambers thought the realtor had shown him several other Westminster properties before bringing him to the Shaw place. This would suggest an unconscious irony in his having bought the very farm earlier rejected by Hiss. But Case's files indicate that Chambers set out to buy the Shaw place. Thus Chambers's own version of these events was far less helpful to his general claim of close friendship with Hiss, as seen through their mutual knowledge of a specific Maryland farm, than the Case documents themselves. Chambers's basic story squared with the facts of the two Westminster sales as unearthed by the *New & Post*, and it proved far more accurate than Priscilla Hiss's when she reacted to the press accounts. "Mrs. Hiss does not recall this transaction," a Hiss lawyer observed in a memorandum written at the time. "She has frequently looked at old farms in various parts of the '5 country but never bought any. She does not recall signing the contract to 1/4" buy this one but recognized the picture of her signature on the contract in the newspaper."\*84 Priscilla Hiss in fact had initiated the Westminster transaction herself with a November 1935 letter to Edward Case. "The realtor's records showed that the Hisses did not pursue the inquiry until April 4, 1936, when Alger drove to Westminster to see the Shaw place. After an exchange of letters with Case, Hiss returned this time with Priscilla on April 13, when they left a \$20 deposit. That same day Hiss wrote Case enclosing both a signed F buy-and-sell agreement to purchase the property for \$600 and a check for an additional \$100, the agreed-upon down payment. In the weeks that followed, Hiss wrote several additional letters to the realtor as it became clear that Case was having problems clearing title to the property because of Mrs. Shaw's heirs' reluctance to sell for \$600. If Chambers did visit the farm with Hiss, it would probably have been sometime in mid-April. Hiss's letters to Case indicate he made additional trips to the property during this period, and on at least one of these, Hiss expressly noted that he did not see Case.<sup>85</sup> In late April, Case informed Hiss that Mrs. Shaw's sister, a Mrs. Shirkey, executrix of the estate, refused to sell the property for less than \$850 and Hiss expressed his disappointment at the news in an April 25 letter. After determining that Mrs. Shirkey would not reduce her demands, he wrote Case again on May 13 asking for return of his \$120 deposit: "I am not interested in the higher figure." A final letter from Hiss to Case on May 28, 1936; "I am not interested in the Shirkey place at this time" -confirmed this decision. Once again Hiss asked that Case refund the deposit money and "terminate the negotiations completely." The letter also bore indications that Hiss had paid unsupervised visits to the farmhouse. Case delayed

\* Neither the Committee nor the press knew of Mrs. Hiss's flawed memories of the farm purchase at the time.

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## PERJURY

returning Hiss's deposit until July 1+ ~~~6-and then refunded only \$100, for reasons that remain unclear. There the matter rested until the following February, when Case received a letter from Chambers inquiring about a property remarkably similar to the "Shirkey place." The letter carries the date February 3, 1936, but since Case had no recollection of meeting Chambers before the Hiss negotiation had fallen through, the letter was probably misdated, a conclusion accepted by all parties in ~~~8: Hiss's lawyers, the FBI, newsmen, HUAC staff members, Chambers, and Case. A September 10, 1948, FBI report stated that the February 3 letter "indicates that Chambers may have had some prior knowledge of the Shaw Place prior to the time he actually wrote this letter," and the 1937 document suggests familiarity with "the house, the purchase price and the locale" of Hiss's abortive farm purchase. It was addressed to Case and signed "J.W. Chambers, c/o Reuben Shemitz, Attorney" (Esther Chambers's brother), giving Shemitz's New York place of business as its return address. The realtor answered later that month, and a February 26, 1937, notepad entry indicated that he had heard from Chambers again, by which time Case had already mentioned to Chambers the Shaw/Shirkey place. Case's notation was scribbled on an October 9, 1936, standard desk-pad page (presumably used for scrap notes by then), and it read in its entirety:

Feb. 26. Jay Chambers 3310 Auchentoroly Terrace about 10 a. [acres] \$600, to be out next week Pd Alger Hiss \$100.00 refund on Deposit Pd. by him on the I. Estella Shaw Place July 14, 19~~by Edward W. Case Chambers

moved to his Auchentoroly Terrace apartment in Baltimore during the fall of 1936, providing further confirmation for dating this memo in 1937. Moreover, Case's reference to returning Hiss's deposit on the Shaw place the previous July linked on the same memo to 'Jay Chambers's' impending visit suggested that the realtor intended showing the same place to his new customer. Case's interview with the FBI in early September 1948 also indicated that Chambers had asked to see that identical property:

Continuing, Case stated that . . . on March 12, 1937 Chambers appeared at his office in Westminster, driving "an old brown car." Chambers and Case thereafter went to the Shaw property that same day, returned to Case's office, at which time an Agreement of Sale was drawn up. Case made available his cashbook which contains the following notations: "March 12, 1937, sale of Shaw place, \$40." (deposit) "April 10, 1937. Mr. Chambers acc. Place, \$285."

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#### HUAC: A Month of Headlines 57

The last entry actually referred to Esther Chambers having paid Case \$285 toward the total purchase price of \$600 (apparently the owners had backed down by then from their earlier demand for \$800). Mrs. Chambers served as the legal purchaser of the Westminster farm, a logical step, since Whittaker intended to resume his underground work and pseudonym once the farm had been bought. "The sequence of events strongly suggests that Chambers had seen the Shaw place prior to his March 1937 visit.<sup>86</sup> The Hisses went to Westminster in mid-October 1948 at the insistence of their attorney. They chatted amicably with Edward Case, but learned little new, although they did pay a visit to the farmhouse. Their reactions to the home once purchased by their nemesis (the Chambers family had moved to a larger farm in the area) echoed in an uncanny way the couple's initial response to Chambers himself: "Various changes have been made: a brick wall under the porch, a new chimney, some imitation brick siding. Mrs. Hiss could not remember it. Mr. Hiss found the view and something about the porch familiar."<sup>87</sup>

#### AUGUST 27: The Judgment

When the Westminster farm story broke, Nixon and his HUAC colleagues were preparing to leave Washington for fall campaigning. Before the Committee disbanded, it published on August 27 an "interim report" on the Bentley-Chambers spy probe-along with the transcripts of both executive and open-session testimony-under the title Hearings Regarding Communist Espionage in the United States Government. The report summarized the testimony of its two star witnesses on Communist infiltration into the federal government and concluded with HUAC's obligatory denunciation of the White House and the Attorney General for refusing to cooperate with its inquiries.<sup>88</sup> But the document's marrow consisted of a long section entitled "Hiss Chambers Testimony," which termed Hiss's testimony as "vague and evasive" and Chambers's as "forthright and emphatic." HUAC left little doubt as to credibility: "The verifiable portions of Chambers's testimony have stood up strongly; the verifiable portions of Hiss's testimony have been badly shaken." Hiss's unpersuasive recollections concerning the Ford transactions were particularly damaging, in the Committee's view, and raised doubts "as to other portions of his testimony." The Committee concluded that Hiss "was not completely forthright" in testifying at first that he could not recognize Chambers (Crosley) from photographs on August 5. Furthermore, he could not have associated with Harold Ware, Nathan Witt, John Abt, Henry Collins, Lee Pressman, and Whittaker Chambers-"all of whom are either known or admitted members of the Communist Party"-without suspecting their affiliation. In short, "the burden is upon Hiss to establish

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#### PERJURY

that. . . [he] knew Crosley as a free-lance writer rather than as the admitted Communist functionary which Chambers actually was during that period." The month of headlines surrounding the Hiss-Chambers probe had restored much luster to the Committee's public reputation. A Gallup poll in September 1948 showed that four out of five Americans approved HUAC's latest espionage inquiry and felt it should be continued. President

Truman's "red herring" charge did not apparently find much support among voters, since a comparable majority-three out of every four [including 71 percent of the Democrats surveyed] -believed that there was something to these spy investigations" and that it was not "a case of playing politics." Important newspapers normally critical of HUAC-such as the Washington Post, The New York Times, and the New York Herald Tribune-agreed editorially that the Hiss-Chambers probe had produced significant unanswered questions.~ On August 27 Whittaker Chambers appeared on the radio program Meet the Press. His questioners displayed considerable skepticism about Chambers's accusations, and three of them-Lawrence E. Spivak, editor of The American Mercury, Tom Reynolds of the Chicago Sun-Times, and Edward Folliard of the Washington Post-seemed to favor Alger Hiss (Reynolds was a good friend). The fourth panelist was Nat Finney of Cowles Publications; James B. Reston of The New York Times served as moderator. Folliard began with the pivotal question. He reminded Chambers that his HUAC testimony concerning Hiss had been privileged-"protected from lawsuits." Since Hiss had challenged his accuser to make the same charges publicly, Folliard asked: "Are you willing to say now that Alger Hiss is or ever was a Communist?" Chambers replied: "Alger Hiss was a Communist and may be now." Reynolds pointed out that these assertions were "quite useful . . . to the Republicans," and wondered if Chambers had any party affiliations. He did not.<sup>90</sup> To Spivak's question of why the American public should believe his story as an ex-Communist when Communists are known to lie for their cause, Chambers responded: "I can simply try to produce facts which will on investigation stand up." Folliard wanted to know if he was prepared to go to court to defend these charges, to which Chambers observed laconically: "I do not think Mr. Hiss will sue me for slander or libel." Chambers was asked whether Hiss, as an alleged Communist, had committed overtly treasonous or disloyal acts, but he responded: "I am only prepared at this time to say he was a Communist." He reminded his interrogators that he had told the Committee that Hiss and others in the underground group of government officials had been brought together not "for the purpose of espionage, but for the purpose of infiltrating the government and influencing government policy by getting Communists in key places." The network's

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## HUAC: A Month of Headlines 59

aim was not espionage but policy-making, in short, "something very much more important than spying." The interview with Chambers laid the groundwork for a slander or libel action by Hiss. Despite the latter's earlier urgent demands for such a public accusation, however, he did not take his adversary into court until late -September. The delay in filing suit puzzled his partisans, delighted disbelievers, and allowed the conclusions of HUAC's August 1948 report to -circulate unchallenged.

### AUGUST 30: The Evasions

The HUAC subcommittee experienced one final day of high drama that month when it resumed business on August 30 in New York City to hear two men: Alexander Stevens (alias J. Peters, etc., etc.), reputed chief of the American Communist underground, and former Assistant Secretary of State Adolf A. Berle. Stevens proved predictably uncooperative, while Berle responded to all questions. Yet each, for different reasons, told the Committee less than he knew of the Hiss-Chambers affair. Both Peters, the Communist zealot, and Berle, the New Deal partisan, either evaded answering or distorted their testimony when confronting the subcommittee. Immigration and Naturalization Service agents had been investigating Stevens for almost a year on the grounds that he had entered the United States illegally. "J. Peters," a small and chunky fifty-four-year-old man in a baggy suit, with wire-frame glasses, a huge shock of brown hair, and a mustache, would be aptly described in Time as a "Groucho Marx likeness." He then lived in the Bronx under the name "Isidore Boorstein." Peters had been arrested on October 8, 1947, charged with violating a 1918 statute for ° failing to list his Communist membership on the various applications for residence and other forms he submitted during several trips in and out of the ° United States between 1924 and 1939 (he never became an American citizen) ?1 Peters, who now uses the name Jozsef Peter, recalls that the FBI sent four agents to arrest him in 1947. He was released on

\$5,000 bond, and the INS probe of his activities proceeded slowly until Whittaker Chambers injected his name into the HUAC hearings. Only then did immigration agents intensify their investigation of the Hungarian-born Communist. The witness declined to answer questions concerning the Communist Party, his use of aliases,\* whether he had ever acted as a representative in

\* FBI laboratory analysis had verified the fact that "Alexander Stevens" had also signed a series of documents—including internal Communist Party memo—not only under that name but also as "Alexander Goldberger," "J. Peter," and "J. Peters." FBI

F:- Laboratory Report, Aug. 27, 1948.

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## 60 PERJURY

the United States of the Communist International, whether he had participated in an underground apparatus in Washington during the 1930s aimed at infiltrating the federal government, or whether he knew Whittaker Chambers. Answering these questions, Peters avowed, "might degrade and incriminate me." Stripling then asked Chambers, who had been watching from another part of the room, to stand and confront the witness. Peters refused to state if he had known Chambers either under that name or as "Carl," if he had seen Chambers in Hiss's presence in Washington, or if he had ever met Chambers at Henry Collins's apartment from 1934 to 1938.<sup>92</sup> Chambers said that he had met Peters first at the Daily Worker office in 1928. For his part, Peters would not say if he had known Hiss and then responded "Same answer" when read a catalogue of those named as Communists in the Bentley-Chambers hearings. He agreed that he knew Earl Browder, but refused to admit that he had ever been in Washington. He declined to say whether he had furnished confidential government documents to Soviet agents, whether he knew William Rosen, or whether he knew anything about the transfer of Hiss's 1929 Ford. After their first meeting Chambers saw Peters again in late 1932 or early 1933 when Max Bedacht, who recruited him for secret work, handed over the fledgling agent to Peters's direction. Describing the latter's close association with Harold Ware and the group of young government officials assembled by Ware in 1934, Chambers said that Peters had worked actively with the Washington Communist underground during the mid-Thirties and, in the process, had come to Washington often. Peters, according to Chambers, had introduced him to every member of the secret cell, including Alger Hiss, whom he claimed to have met first in 1934 while in the company of Peters and Ware. Chambers repeated his earlier claim—apparently confirmed by William Rosen's attorney, Emmanuel Bloch—that Peters had arranged the transfer of Hiss's 1929 Ford to an "open Party" organizer in 1936.<sup>93</sup> Portraying himself as a close associate of his superior's in their underground work, Chambers detailed various trips taken with Peters. In these meetings Peters had introduced him to Soviet agents, including an operative named "Ewald"—a Latvian who was arrested in Russia in late 1937 during the Great Purge while traveling under two false American passports in the names "Robinson" and "Rubens." Chambers was alluding to a case that made headlines in the United States early in 1938, when Ewald's American born wife was also arrested in Moscow and held on espionage charges along with her husband.\* According to Chambers, Peters had been involved in obtaining spurious passports for the Rubenses and for other Communists. Also Peters had occasionally spoken in the 1934-35 period at meetings of the

\* The Robinson-Rubens case, which would figure significantly in the Hiss-Chambers conflict later that year, is described more fully in Chapters VII and IX.

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## HUAC: A Month of Headlines 61

- -, shington underground apparatus (two members of the Ware Group, Lee Pressman and Nathaniel Weyl, subsequently confirmed this). °-, J. Peters remains one of the least-known and most intriguing figures in 1; the history of American Communism, a gray eminence who held important posts for twenty-five years at both the "open" organizational level and in the {- Party's "secret work." His widely used 1934 handbook, The

Communist Party: A Manual on Organization, is still in print. Several witnesses at his (i- deportation hearings, including the ex-Communist Louis Budenz, testified to Peters's great influence within the world Communist movement. Andrew Smith, a skilled worker who had moved to the Soviet Union in 1932, produced several letters of introduction written by Peters that year, certifying Smith's reliability as a CP member and signed "J. Peters, Acting Representative, CP USA, E.C.C.I." (The latter abbreviation stood for "Executive Committee, Communist International.") Several witnesses present at the time placed Peters at the Lenin School in Moscow, which trained underground agents for service elsewhere in the world.<sup>94</sup> He went into partial eclipse during the Second World War, when Earl Browder tried to replace a separate Communist organization with a more broadly based anti-fascist coalition of leftist political forces within the United States. With Browder's downfall and expulsion from the Party in 1946, old

revolutionary stalwarts such as Peters regained importance within American Communism. Even now in his eighties Jozef Peter retains the charm and forcefulness that former Communist associates such as Chambers and Budenz recognized

while testifying against him. David Dallin's account of Soviet Espionage it), described Peters as indefatigable ... an outstanding leader, man of many aliases and a multitude of clandestine assignments, who remained at his American post from 1933 to 1941. His era was marked by great exploits [and] . . . [he was] the most active, energetic, and resourceful man in those obscure depths of the underground where Soviet espionage borders on American Communism. After deportation from the United States in 1949, Peters went to Hungary. For many years he edited The International Review, the official Communist compendium of foreign press opinion. In 1977 Peters was chairman of the Review's board, although no longer the monthly's editor; he was also a high official of the Hungarian State Publishing House, "in charge of books on international problems."<sup>95</sup> Despite the heavy weight of available evidence, Peters insists that he served in the United States only as an ordinary CP functionary and was never involved in "secret work." He said he never met Whittaker Chambers except possibly once early in the 1930s at the New Masses office. He also denied having been involved in Communist espionage in the United States, either as head of the entire underground or in any other capacity.

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## 62 PERJURY

But Maxim Lieber, one of Chambers's closest friends and a sometime associate in the underground, identified Peters as "the head of the whole Communist espionage apparatus in this country." Not only Lieber but others who sympathized with Alger Hiss and exhibited no fondness for Whittaker Chambers in 1948 also confirmed Peters's participation in "secret work." Thus, although Peters insisted recently that he had never met David Zabladowsky during the 1930s, the latter-whom Chambers knew from Columbia days-told a Senate subcommittee in 1952 that at Chambers's request he had delivered a message to Peters sometime in 1936, knowing that the latter was an espionage agent. Peters similarly denied having known Lee Pressman as a member of the Ware Group, although Pressman testified before HUAC in 1950 to several such encounters with Peters at cell meetings in 1933 and 1934.<sup>96</sup> "Alexander Stevens" had guarded his knowledge of Chambers and the Communist spy networks behind a Fifth Amendment wall while testifying before the Committee. Adolf A. Berle, Jr., who replaced Stevens in the witness chair, proved more voluble. But Berle's recollections of his 1939 meeting with Chambers and its aftermath were surprisingly inaccurate. A distinguished economist, lawyer, scholar, and co-author (with Gardner Means) of the path breaking 1932 study The Modern Corporation and Private Property, Berle had been an original member of Roosevelt's New York "Brain Trust" before turning to diplomacy. He continued to serve FDR during the New Deal, becoming Assistant Secretary of State in 1938. Among Berle's other duties, Roosevelt assigned to him supervision of intelligence matters within the State Department and elsewhere in the government. For this reason the President's appointments secretary, Marvin McIntyre, had referred Isaac Don Levine to Berle when Levine sought an audience for Chambers with the President. Berle's memory of his conversation with Chambers and Levine differed from their earlier testimony before the Committee. Berle asked the group to excuse any "discrepancies in detail" between his version of that meeting and the previous accounts: "I am testifying from recollection about something that happened nine years

ago . . . please lay it [any discrepancy] to faulty memory and not lack of desire to tell the story." (Actually, Berle kept a diary, which contained a long entry on the 1939 visit, and which he had every chance to consult before testifying.) Berle referred to his informant as "Whittaker K. Chambers"-apparently believing that the pseudonym "Karl," which Chambers had used throughout their talk, was actually the man's middle name. He did not think Levine had accompanied Chambers to the interview, "but that may be an absence of memory." He believed the visit took place in late August, not September 2, and confirmed that "Karl wished to disclose certain information about Communist activities in Washington."<sup>07</sup> According to Berle, Karl said he had been "a member of the under

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## 62 PERJURY

But Maxim Lieber, one of Chambers's closest friends and a sometime associate in the underground, identified Peters as "the head of the whole Communist espionage apparatus in this country." Not only Lieber but others who sympathized with Alger Hiss and exhibited no fondness for Whittaker Chambers in 1948 also confirmed Peters's participation in "secret work." Thus, although Peters insisted recently that he had never met David Zabladowsky during the 1930s, the latter-whom Chambers knew from Columbia days-told a Senate subcommittee in 1952 that at Chambers's request he had delivered a message to Peters sometime in 1936, knowing that the latter was an espionage agent. Peters similarly denied having known Lee Pressman as a member of the Ware Group, although Pressman testified before HUAC in 1950 to several such encounters with Peters at cell meetings in 1933 and 1934.<sup>90</sup>

"Alexander Stevens" had guarded his knowledge of Chambers and the Communist spy networks behind a Fifth Amendment wall while testifying before the Committee. Adolf A. Berle, Jr, who replaced Stevens in the witness chair, proved more voluble. But Berle's recollections of his 1939 meeting with Chambers and its aftermath were surprisingly inaccurate. A distinguished economist, lawyer, scholar, and co-author (with Gardner Means) of the pathbreaking 1932 study *The Modern Corporation and Private Property*, Berle had been an original member of Roosevelt's New York "Brain Trust" before turning to diplomacy. He continued to serve FDR during the New Deal, becoming Assistant Secretary of State in 1938. Among Berle's other duties, Roosevelt assigned to him supervision of intelligence matters within the State Department and elsewhere in the government. For this reason the President's appointments secretary, Marvin McIntyre, had referred Isaac Don Levine to Berle when Levine sought an audience for Chambers with the President. Berle's memory of his conversation with Chambers and Levine differed from their earlier testimony before the Committee. Berle asked the group to excuse any discrepancies in detail" between his version of that meeting and the previous accounts: "I am testifying from recollection about something that happened nine years ago . . . please lay it [any discrepancy] to faulty memory and not lack of desire to tell the story." (Actually, Berle kept a diary, which contained a long entry on the 1939 visit, and which he had every chance to consult before testifying.) Berle referred to his informant as "Whittaker K. Chambers"-apparently believing that the pseudonym "Karl," which Chambers had used throughout their talk, was actually the man's middle name. He did not think Levine had accompanied Chambers to the interview, "but that may be an absence of memory." He believed the visit took place in late August, not September 2, and confirmed that "Karl wished to disclose certain information about Communist activities in Washington."<sup>97</sup> According to Berle, Karl said he had been "a member of the under

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## HUAC: A Month of Headlines 63

-ground Communist group from 1934 to [the] end of 1937," after which he had defected and gone into hiding for a year "in fear of some sort of -reprisal. . . . [He] was obviously under some emotional strain." Karl told him about the Communist Party's efforts "to develop a group of sympathizers" within the government, but there was never in his informant's --story "any question of espionage. There was no espionage involved in it. He stated that their hope merely was to get some people who would be Sympathetic to their point of view." To achieve this, Berle remembered, the CP's "sympathizers" within the New Deal had formed "a study group °, of some sort" to learn about Russia and Communism. Chambers, however, "did not make the direct statement that any of

these men [Berle then -; specifically recalled mention of the names of Alger and Donald Hiss, Lee Pressman, and Nathan Witt] were members of the Communist Party." Berle had asked Chambers why he didn't go to the FBI with the information. "He didn't want to spend the rest of his life with this hanging around his neck," his guest had replied; "he wanted to tell the story, and then he wanted to disappear . . . and not do anything further about it." Had Berle tried to verify Chambers's leads? Stripling asked. In reply, the diplomat noted that Pressman was out of the government by then and - - Witt's associations were well known-even in 1939. But he had inquired about "the two Hiss boys." Berle specifically remembered asking Dean - - Acheson about them "when Acheson became the Assistant Secretary of State and Alger Hiss became his executive assistant" (Acheson became -Assistant Secretary in 1941, two years after Chambers's visit, and it was -actually Donald Hiss who worked closely with Acheson in the Department). Acheson told Berle that he had known the "Hiss boys" "from --childhood and he could vouch for them absolutely." Also, Berle said, he checked with Justice Felix Frankfurter-date unmentioned-who gave them "an exactly similar endorsement." Reminding Berle that HUAC's major interest in his testimony was --the light it might shed on Alger Hiss's conduct at State, Stripling asked him if he had been "ever at any time suspicious of Mr. Hiss." Berle then conceded to having been "worried" and launched into a long explanation -of his differences with "Mr. Acheson's group . . . with Mr. Hiss as his -principal assistant" over what Berle felt was its "pro-Russian point of view." He admitted that these differences influenced his "biased view" of Hiss, since he (Berle) "got trimmed in the fight," was relieved as Assistant Secretary of State in late 19~, and was sent to Brazil as American Ambassador-he resigned the following year-which "ended [his] diplomatic -career." Noting that pro-Russian sympathies within the government had 4 not been unusual during the wartime period of Soviet-American alliance, Berle said: "Frankly, I still don't know whether this is the boy [Alger Hiss] that got in deep and then pulled clear, or what goes on here." In defense of the fact that he did not begin checking seriously on Chambers's allega

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## 64 PERJURY

tions against the Hiss brothers until the United States had entered the Second World War, Berle insisted that "Chambers did not state to me that he [Hiss] was a member of the Communist Party; merely that this was a group that was hoping to be sympathetic; so that was all you had to go on." If accurate, Berle's testimony would obviously dampen considerably the overheated climate of HUAC's investigation by suggesting to the Committee, the press, and the public that Chambers's "revelations" in 1939 had been small beer, hardly worth fussing over, and certainly nothing that involved the question of underground Communist Party cells capable of influencing government policy or committing espionage. But the FBI later produced a copy of Berle's 1939 memorandum on Chambers's visit, which he had retained for four years before sending it to the Bureau in 1943. His four-page series of notes, titled "Underground Espionage Agent," contradicted almost every specific point Berle made in his HUAC testimony.<sup>98</sup> It contained a list of individuals mentioned by "Karl" during their conversation, including major Communist espionage agents and underground government contacts as well as "sympathizers." The names included not only the Hiss brothers, Pressman, and Witt, but also J. Peters; Dr. Philip Rosenbliett (a leading New York underground Communist); Alexander Trachtenberg (a member of the American Communist Executive Committee); "Volkov" (the head of CP West Coast espionage operations); Harold Ware and other alleged members of his "group" '-Frank Coe, John Abt, Jessica Smith, Charles Krivitsky, Marian Bachrach; and other names which had not yet been mentioned by Chambers but which would figure in the case shortly-Vincent and Philip Reno, Elinor Nelson, Julian Wadleigh, Noel Field (named only briefly in August 1948), and Hedda Gompertz (Hede Massing). Laurence Duggan was described by Chambers in Berle's notes as a - "Fellow Traveler," and Isaac Don Levine's notes on the meeting (but not Berle's) also record Harry Dexter White's name as one that entered the discussion. Nor did Berle's 1939 memorandum describe a collection of Communist sympathizers casually connected in an innocuous "study group." It proceeded name by name, department by department, to show that Chambers had stressed actual espionage already committed rather than the mere possibility of future action or secret involvement with Communism. Terms such as "head of Underground Trade Union Group," "Underground connections," "in 'Underground Apparatus,'" and similar references recurred in the notes, which described-among other things-the alleged theft of Navy plans for new "Super-battleships" as well as Vincent Reno's secret work with "Aerial bomb sight Detectors." Only when the

FBI requested his memo in 1943, having learned about it during an interview with Chambers the previous year, did Berle provide a copy to the Bureau. But he never

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## HUAC: A Month of Headlines 65

filed the memo, before or afterward, with either State Department security officers or military intelligence agencies, despite its references to military espionage. The memo concluded with a section on the Hiss brothers which clashed with Berle's 1948 testimony that Karl had described the pair merely as Communist Party "sympathizers," and with his subsequent casualness over confirming this information to HUAC:

Donald Hiss (Phillipine [sic] Adviser) Member of C.P. with Pressman & Witt Labor Dep't.-Asst. to Frances Perkins Party wanted him there-to send him as arbitrator in Bridges trial Brought along by brother Alger Hiss Ass't. to Sayer--- Member of the Underground Com.-Active Baltimore boys Wife-Priscilla Hiss-Socialist Early days of New Deal

In his testimony to the HUAC subcommittee, Berle stated that he was testifying from memory alone, apparently suggesting (unpersuasively, for a man who kept well ordered files) that he had not retained a copy of his 1939 memorandum. But there was also his diary, and the first entry after his visit with Levine and Chambers belied Berle's assertion to HUAC that he did not know Chambers had been a highly placed Communist espionage agent:

Saturday night [September 2] I had, to me, a singularly unpleasant job. Isaac Don Levine in his contact with the Krivitsky matter\* had opened up another idea of the Russian espionage. He brought a Mr. X around to my house. . Through a long evening, I slowly manipulated Mr. X to a point where he had told some of the ramifications hereabout; and it becomes necessary to take a few simple measures. I expect more of this kind of thing, later. A good deal of the Russian espionage was carried on by Jews; we know now that they are exchanging information with Berlin; and the Jewish units are furious to find out that they are, in substance, working for the Gestapo [Chambers and Levine had come to see Berle only days after the signing of the Nazi-Soviet Pact]. To bed at 1 :00 A.M.99

Berle's memory lapse was to some extent intentional. "I hope what I said was sedative," he confided to his friend (and Alger Hiss's onetime superior at the AAA) Judge Jerome Frank in a September 9' 1948, letter.

\* General Walter Krivitsky, a leading Western European agent for Soviet Military Intelligence, had defected the previous year and-through Levine and others-begun providing American and British authorities with information on Russian espionage rings in both countries.

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## 66 PERJURY

"This was the intention but it is hard to get sanity into a super-charged emotional atmosphere. It seems the great question was not whether there was treason to the United States, but whether Alger Hiss goes to heaven when he dies-and I cannot contribute anything to that decision."1~ Having followed the case closely in the press, Berle expressed grave doubts privately, both in his diary and later to Hiss's attorneys, about the latter's veracity. The Hiss-Chambers confrontation on August 17 brought this response in a diary entry on September 3:

My private opinion is that Hiss was pretty deep in something or other in the early days; nevertheless I am not prepared to think that he maintained these obligations after he got into a position of influence. In other words, he was not a traitor. The Committee hearings do seem to suggest that he is a liar-but this is a matter he can settle with St. Peter.

His major concern in 1948-at a time when Berle was a Liberal Party leader in New York working for Truman's

election-was to defuse, if possible, the influence of anti-Communist sentiment and of the case itself in that election year. "I hated to appear to be in the 'red-baiting business,'" he noted when composing a diary entry on his HUAC testimony. Also Berle appeared to be settling old scores with his chief adversary at State, Dean Acheson, whom he believed instrumental in forcing his ouster as Assistant Secretary. Berle clearly tried to lay Alger Hiss at Acheson's doorstep, even though Donald-and not Alger-was the closer of the two to Acheson within the Department. Furthermore, Berle's suggestion to HUAC that he had been purged by a pro-Soviet faction at State is a distortion of his differences with Acheson, who shared Berle's suspicions of the Russians' post-war intentions.<sup>101</sup> Alger Hiss himself complained privately about the inaccuracies of Berle's account of State Department politics, thereby opening an inquiry that provided a suggestive footnote to the testimony. Historian James Shotwell, a trustee of the Carnegie Endowment and a fervent Hiss supporter, had taken over day-to-day administration of the Endowment to allow Hiss more time to prepare his defense. After reading press accounts of Berle's testimony, Shotwell asked Hiss to prepare a document recording his positions within the State Department and elsewhere in the government. Hiss gave Shotwell, among other notes, a memorandum on his relations with Berle, correcting errors he had detected, including those previously mentioned about Berle's confusion of Alger and Donald Hiss when discussing Dean Acheson's assistant. The most significant portion of Hiss's memo concerned its assertion that

In January or February 1944, when I was about to be assigned to United Nations matters, Mr. Berle and his executive assistant, Mr. Fletcher Warren, now our Ambassador to Paraguay, invited me to join Mr. Berle's special staff working on

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#### HUAC: A Month of Headlines 67

intelligence matters. I declined because of my greater interest in United Nations work and because it was apparent to me that my superiors in the Department wanted me to do the United Nations work.<sup>102</sup> The intelligence post involved, among other things, liaison between the State Department and both the FBI and military intelligence services. If Hiss recalled correctly, then Berle had by then quashed any suspicion of Hiss as a possible subversive, and the Assistant Secretary's failure to mention this to HUAC would be only one more instance of his "faulty memory." Later that year William Marbury asked a friend, James Bruce, the American Ambassador to Argentina, to serve as an intermediary in raising the question with Warren, whose memory of the incident Marbury wished to check before consulting Berle directly. Bruce complied with Marbury's request and received, in time, a letter from Fletcher Warren denying having made any such offer to Hiss. Berle also rejected Hiss's assertion. Adolf Berle's difficulties with the Hiss case in 1948 derived from the perfunctory manner in which he had dealt with Chambers's information in 1939. Thus, according to Hiss, one of his wife's old engagement books showed that the Hisses "had dinner in the Berles' house . . . in November, 1939, a relatively few weeks after Chambers had told his lurid tale. There was certainly no difference in Mr. Berle's attitude on that occasion."<sup>105</sup> The memorandum on Berle was only one of many such reports that Hiss prepared for his attorneys. He had begun gearing up to start legal action against Chambers, and almost daily he received information from friends and sympathizers-facts, rumors, and mixtures of the two-concerning his adversary's background. Even Hiss's friends agreed that his performance at the HUAC hearings had severely damaged his credibility and, therefore, his reputation. Keeping his job and avoiding citation for perjury depended upon his ability to demonstrate his innocence satisfactorily. As one part of this process, Hiss began collecting data on Chambers's past, much of which involved allegations of homosexuality, insanity, imposture, and criminal behavior. The sources varied widely and ranged from some of Chambers's old enemies at Time to such well-known journalists as Walter Lippmann and Joseph Alsop. Many New York, Boston, and Washington psychiatrists-according to Hiss's friends and contacts-were reported to have treated Chambers for mental disorders. Upon investigation, these rumors failed to produce much solid information, but they preoccupied the energies of Hiss's hired investigators and volunteer sleuths.<sup>104</sup> Many of the gamiest stories came from within the Communist movement via Hiss's old friends Henry Collins and Lee Pressman, both of whom had collaborated with his lawyers from the time the HUAC hearings ended in early September. Later there would be even closer links between the Hiss defense and this circle. Thus when one of Hiss's attorneys later ap-

proached J. Peters's lawyer, Carol Weiss King, seeking information from Peters, he was clearly taken aback by her response. The meeting with Mrs. King, which took place in January 1949, was duly recorded in a memo by a Hiss attorney, Harold Rosenwald:

She said that a liaison had been established between the proper persons and Hiss' attorneys and that the proper persons would let us know in due course whether any information would be forthcoming from Stevens [Peters]. I asked her whether she knew anything bearing upon the suspected homosexuality of Chambers. She said that we would get any information that might be forthcoming through the same channels. I told her that I was not aware of any such liaison between Hiss' attorneys and the Communist Party. She smiled knowingly and mysteriously and refused to be more specific in describing the so-called liaison arrangement. . . . She said that Hiss had been very foolish in his conduct toward the Government, first in having so vigorously denied that he knew Chambers. 105

Shortly after HUAC issued its interim report, Alger Hiss circulated a fourteen-page "open letter" to the Committee. HUAC members had already begun leaving Washington for their home districts, persuaded that their work on the Hiss-Chambers inquiry was over. It was now up to the Justice Department or, if Hiss filed suit, the courts to determine who had committed perjury. Richard Nixon returned to Whittier in mid-September, where he faced no problems in the November election, having captured both the Democratic and Republican nominations for his district (a feat then possible under California's cross-filing system). But Nixon used the campaign to regale crowds with his version of the Hiss case, from initial testimony to final confrontation. Karl Mundt plunged into the South Dakota Senate race and, similarly, enjoyed unusual voter recognition for the Committee's well-publicized August hearings (Mundt won easily in November). J. Parnell Thomas would soon have his own "case" to prepare as charges circulated during the campaign that he had received kickbacks from his staff (Thomas was subsequently indicted, convicted, and served nine months in jail). An exciting four-way battle for the Presidency had crowded the Hiss Chambers case off the front pages by mid-September, and Hiss's supporters grew impatient awaiting his legal response to Chambers's Meet the Press interview. In this context, Hiss's fourteen-page "open letter" to HUAC can be understood as his "interim report" on the hearings—a reaction to the Committee's August 27 document—and as a precursor to his lawsuit against Chambers. The letter assailed HUAC: "No American is safe from the imagination of such a man, so long as your committee uses the great powers and prestige of the United States Congress to help sworn traitors to besmirch any American they may pick upon." 106 Describing Chambers as "a confessed traitor," "this character," "this self-same erratic," unstable, unreliable, and (at four points in the state-

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HUAC: A Month of Headlines 69

ment) "somewhat queer," Hiss contrasted his own unblemished record with Chambers's past "in the sewers, plotting against his native land, for thirteen years." He demanded due process: "The Anglo-Saxon method of ascertaining the truth has for centuries made use of the ancient rule of evidence that by their works shall ye know them." Hiss's denials were categorical: "I have [never] done the slightest thing or said the slightest word to further Communism." He railed at the Committee for its unwillingness to summon as character witnesses those with whom he had worked in the government for over a decade to check his "credibility and reliability" against that of Chambers, whom "preliminary inquiry shows [to be] a man who is a combination of Guy Fawkes, the Mr. Hyde in Dr. Jekyll and Mr. Hyde, and characters out of all the mystery and spy stories anybody ever read." Once people understood the man in his various guises—"Mr. Carl-David-George-Jay-John Chambers-Crosley-Kelly . . . and other aliases"—Hiss argued, then Chambers's motives for slandering him would emerge. Rarely has the issue of personal identity agitated the national political scene so abruptly and with so great an impact. With each man so insistent that candor and full disclosure meant vindication for him, perhaps the facts could not be resolved satisfactorily until more was known about their public and private lives. What

had they done (or not done) together during the Depression decade?

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